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From:	General Secretariat of the Council
To:	Delegations
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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on risk-preparedness in the electricity sector and repealing Directive 2005/89/EC

Delegations find in Annex a revised four-column table, including preliminary suggestions by the Presidency. At the meeting of the Working Party on Energy (EWP) on 4 September, the aim of the discussion will be to allow the delegations to express their observations on the text adopted by the Parliament as well as on the Presidency suggestions, for positions to take and draft compromises in the fourth column.

The suggestions by the Presidency in the fourth column are merely a basis for a structured discussion in the EWP and shall in no way prejudice the positions that delegations may take.

The discussion in the EWP will be grouped in the following manner:

- Articles 1-9;
- Articles 10-17a and Annex;
- Articles 18-21 and Recitals.

The EWP discussion shall prepare the Coreper meeting scheduled for 14 September and the initial approach of the Presidency in the course of the first informal trilogue meeting. Delegations are invited to send written comments by 5 September at the latest.

The fourth column in the Annex contains first Presidency suggestions for positions to take and compromises, predominantly of a technical nature, in the following form:

- Where the fourth column is marked "*Maintain Council GA*", at this stage, it is proposed that Council maintains its position as reflected in the third column.
- "*Addressed in Council GA*" means that the Council text in the third column already covers the respective EP amendment or parts thereof and thus is maintained.
- "*To be discussed*" indicates parts of the text where additional guidance is necessary from the Energy Working Party.
- "*Accept (in part/with changes)*" indicates where EP amendments or parts thereof may be acceptable.
- ***Underlined*** text indicates text as it was proposed by the EP; **underlined bold** text indicates first compromise text proposed by the Presidency in response to EP amendments.

N.B. Where footnotes from the Commission proposal remain unchanged across the four columns, the footnote is only reproduced once.

N.B. Compromise suggestions for the Recitals are provisional and are always subject to alignment with the corresponding provisions in the Articles. 7

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on risk-preparedness in the electricity sector and repealing Directive 2005/89/EU

COMMISSION PROPOSAL (COD 0377/2016 - doc. 15151/16)	EP PLENARY TEXT	COUNCIL GENERAL APPROACH (doc. 14702/17)	Compromise proposals
<p>Proposal for a</p> <p>REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</p> <p>on risk-preparedness in the electricity sector and repealing Directive 2005/89/EC</p> <p>THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,</p> <p>Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194 thereof,</p> <p>Having regard to the proposal from the European Commission,</p> <p>After transmission of the draft legislative act to the national parliaments,</p>			<p><i>No changes</i></p> <p><i>Maintain Council GA</i></p>

<p>Having regard to the opinion of the European Economic and Social Committee¹,</p> <p>Having regard to the opinion of the Committee of the Regions²,</p> <p>Acting in accordance with the ordinary legislative procedure,</p> <p>Whereas:</p> <p>(1) The electricity sector in the Union is undergoing a profound transformation, characterised by more decentralised markets with more players, better interlinked systems and a higher proportion of renewable energy. In response, Directive xxx/Regulation xxx [Reference to the proposed Electricity Directive and Electricity Regulation] aim to upgrade the legal framework governing the Union's internal electricity market, so as to ensure that function in an optimal manner, to the benefit of businesses and consumers.</p>		<p>parliaments,</p> <p>Having regard to the opinion of the European Economic and Social Committee³,</p> <p>Having regard to the opinion of the Committee of the Regions⁴,</p> <p>Acting in accordance with the ordinary legislative procedure,</p> <p>Whereas:</p>	
<p>AM 1</p> <p>(1) The electricity sector in the Union is undergoing a profound transformation, characterised by more decentralised markets with more players, a higher proportion of renewable energy and better interlinked systems which, however, are still insufficient. In response, Directive xxx/ Regulation xxx [Reference to the proposed Electricity Directive and Electricity Regulation] aim to upgrade the legal framework governing the Union's internal electricity market, so as to ensure that markets and networks function in an optimal manner, to the benefit of businesses and Union citizens. This</p>			<p><i>To be discussed</i></p>

¹ OJ C , , p. .

² OJ C , , p. .

³ OJ C , , p. .

⁴ OJ C , , p. .

	<p><i>Regulation is intended to contribute to the implementation of the objectives of the Energy Union, which rests on solidarity, a principle enshrined in Article 194 of the Treaty on the Functioning of the European Union</i></p> <p>AM 2</p> <p>(2) <i>The security of supply in the Union is best guaranteed through well-functioning markets and systems with developed and technologically-modern electricity interconnections, ensuring free flow of energy across borders, energy efficiency measures and further development of renewable energy sources.</i> However, even where markets and systems function well and are interconnected, the risk of an electricity crisis (<i>especially</i> as a result of extreme weather conditions, malicious attacks or a fuel shortage) can never be excluded. The consequences of crisis situations often extend beyond national borders. Even where incidents start locally their effects can rapidly spread across borders. Some extreme circumstances, such as a cold spell, a heat wave or a cyber-attack, may affect entire regions at the same time.</p>		
<p>(2) Well-functioning markets and systems are the best guarantee of security of supply. However, even where markets and systems function well, the risk of an electricity crisis (as a result of extreme weather conditions, malicious attacks or a fuel shortage) can never be excluded. The consequences of crisis situations often extend beyond national borders. Even where incidents start locally their effects can rapidly spread across borders. Some extreme circumstances, such as a cold spell, a heat wave or a cyber-attack, may affect entire regions at the same time.</p>		<p>(2) Well-functioning markets and systems are the best guarantee of security of supply. However, even where markets and systems function well, the risk of an electricity crisis (as a result of natural disasters such as extreme weather conditions, malicious attacks or a fuel shortage) can never be excluded. The consequences of electricity crisis situations often extend beyond national borders. Even where electricity incidents start locally their effects can rapidly spread across borders. Some extreme circumstances, such as a cold spell, a heat wave or a cyber-attack, may affect entire regions at the same time.</p>	<p><i>To be discussed</i></p>
<p>(3) In a context of interlinked electricity markets and systems, crisis prevention and management cannot be considered a purely national</p>	<p>AM 3</p> <p>(3) In a context of interlinked electricity markets and systems, crisis prevention and management cannot be considered a purely national</p>	<p>(3) Member States are responsible for ensuring the security of electricity supply within their territories. In a context of interlinked</p>	<p><i>Accept in part</i></p> <p>(3) Member States are responsible for ensuring the security of electricity supply within their territories. In a context of interlinked</p>

<p>responsibility. A common framework of rules and coordinated procedures are needed, to ensure that Member States and other actors cooperate effectively across borders in a spirit of transparency and solidarity.</p>	<p>responsibility <i>and the potential of more efficient and less costly cooperation through regional exploitation</i>. A common framework of rules and <i>better</i> coordinated procedures are needed, to ensure that Member States and other actors cooperate effectively across borders <i>and increase</i> transparency, <i>trust</i> and solidarity <i>between Member States</i>.</p>	<p>electricity markets and systems, electricity crisis prevention and management cannot be considered a purely national task []. A common framework of rules and coordinated procedures are needed, to ensure that Member States and other actors cooperate effectively across borders in a spirit of transparency and solidarity.</p>	<p>electricity markets and systems, electricity crisis prevention and management cannot be considered a purely national task [] <i>and the potential of more efficient and less costly measures through regional cooperation should be better exploited</i>. A common framework of rules and <i>better</i> coordinated procedures are needed, to ensure that Member States and other actors cooperate effectively across borders <i>and increase</i> in a spirit of transparency, <i>trust</i> and solidarity <i>between Member States</i>.</p>
<p>(4) Directive 2005/89/EC of the European Parliament and of the Council sets out the necessary measures that the Member States should take in order to ensure security of electricity supply in general. The provisions of that Directive have largely been superseded by subsequent legislation, in particular as regards how markets should be organised so as to ensure that sufficient capacity is available, how transmission system operators should cooperate to guarantee system stability⁴ and as</p>		<p>(4) Directive 2005/89/EC of the European Parliament and of the Council¹ [] established the necessary measures that the Member States should take in order to ensure security of electricity supply in general. The provisions of that Directive have largely been superseded by subsequent legislation, in particular as regards how markets should be organised so as to ensure that sufficient capacity is available, how transmission system operators should cooperate to guarantee system stability² and as</p>	<p><i>Maintain Council GA</i></p>

¹ Directive 2005/89/EC of the European Parliament and of the Council of 18 January 2006 concerning measures to safeguard security of electricity supply and infrastructure investment (OJ L 33, 4.2.2006, p. 22).

² Reference to the revised Third Package

<p>regards the need to ensure that appropriate infrastructure is in place⁵. This Regulation addresses the specific issue of crisis prevention and management in the electricity sector.</p>		<p>regards the need to ensure that appropriate infrastructure is in place.¹ This Regulation addresses the specific issue of electricity crisis prevention and management in the electricity sector.</p>	
<p>(5) The System operation guidelines⁶ and the Network code on emergency and restoration⁷ constitute a detailed rulebook governing how transmission system operators and other relevant actors should act and cooperate to ensure system security. These technical rules should ensure that most electricity incidents are dealt with effectively at operational level. This Regulation focuses on electricity crisis situations that may have a larger scale and impact. It sets out what Member States should do to prevent such situations and what measures they can take should system operational rules alone no longer suffice. Even in crisis situations, however, system operation rules should continue to be fully respected.</p>	<p>AM 4 (5) The System operation guidelines⁶ and the Network code on emergency and restoration⁷ constitute a detailed rulebook governing how transmission system operators and other relevant actors should act and cooperate to ensure system security. These technical rules should ensure that electricity incidents are dealt with effectively at operational level. This Regulation focuses on electricity crisis situations that may have a larger scale and impact. It sets out what Member States should do to prevent such situations and what measures they can take should system operational rules alone no longer suffice. Even in crisis situations, however, system operation rules should continue to be fully respected and consistency between the</p>	<p>(5) The System operation guidelines² and the Network code on emergency and restoration³ constitute a detailed rulebook governing how transmission system operators and other relevant [] stakeholders should act and cooperate to ensure system security. These technical rules should ensure that most electricity incidents are dealt with effectively at operational level. This Regulation focuses on electricity crisis situations that may have a larger scale and impact. It sets out what Member States should do to prevent such situations and what measures they can take should system operation[] rules alone no longer suffice. Even in electricity crisis situations, however, system operation rules should continue to be fully</p>	<p><i>Accept with changes</i> (5) The System operation guidelines⁴ and the Network code on emergency and restoration⁵ constitute a detailed rulebook governing how transmission system operators and other relevant [] stakeholders should act and cooperate to ensure system security. These technical rules should ensure that most electricity incidents are dealt with effectively at operational level. This Regulation focuses on electricity crisis situations that may have a larger scale and impact. It sets out what Member States should do to prevent such situations and what measures they can take should system operation[] rules alone no longer suffice. Even in electricity crisis situations, however, system operation rules should continue to be fully</p>

¹ Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure, OJ L 115, 24.4.2013, p. 39.

² Commission Regulation (EU) .../...of XXXX establishing a guideline on electricity transmission system operation, OJ [...].

³ Commission Regulation (EU) .../...of XXXX establishing a network code on electricity emergency and restoration, OJ [...].

⁴ Commission Regulation (EU) .../...of XXXX establishing a guideline on electricity transmission system operation, OJ [...].

⁵ Commission Regulation (EU) .../...of XXXX establishing a network code on electricity emergency and restoration, OJ [...].

	<i>provisions of this Regulation and the network code on emergency and restoration should be ensured.</i>	respected.	<u>respected and consistency of the network code on emergency and restoration with the provisions of this Regulation should be ensured.</u>
		(5a) The System operation guideline establishes in its Article 77 a process by which transmission system operators of a capacity calculation region delegate tasks to the Regional Security Coordinators. This allows for a regional coordination on operation security and should be used to define regions for cooperation under this Regulation. Member States sharing the Regional Security Coordinators should have the possibility to form sub-groups of Member States belonging to the same capacity calculation region. The definition of “region” in this Regulation should build on this approach.	Maintain Council GA
<p>(6) This Regulation sets out a common framework of rules on how to prevent, prepare for and manage electricity crisis situations, bringing more transparency in the preparation phase and during an electricity crisis and ensuring that, even in a crisis, electricity is delivered where it is needed most. It requires Member States to cooperate at regional level, in a spirit of solidarity. It also sets out a framework for an effective monitoring</p>	<p>AM 5</p> <p>(6) This Regulation sets out a common framework of rules on how to prevent, prepare for and manage electricity crisis situations, bringing more transparency in the preparation phase and during an electricity crisis and ensuring that, even in a crisis, <i>measures are taken in a coordinated and effective manner</i> and electricity is delivered where it is needed most. It requires Member States to cooperate at regional level, in a spirit of solidarity.</p>	<p>(6) This Regulation sets out a common framework of rules on how to prevent, prepare for and manage electricity crisis situations, bringing more transparency in the preparation phase and during an electricity crisis []. It requires Member States to cooperate [], in a spirit of solidarity. It also sets out a framework for an effective monitoring of security of supply in Europe via the Electricity Coordination Group. This should result</p>	To be discussed

<p>of security of supply in Europe via the Electricity Coordination Group. This should result in better risk preparedness at a lower cost. It should also strengthen the internal energy market by enhancing trust and confidence across Member States and ruling out inappropriate state interventions in crisis situations, in particular avoiding undue curtailment of cross-border flows.</p>	<p>It also sets out a framework for <i>the</i> effective monitoring of security of supply in Europe via the Electricity Coordination Group. This should result in better risk-preparedness at a lower cost, <i>the optimisation of resources and mitigated impact on citizens and companies in time of crisis</i>. It should also strengthen the internal energy market by <i>strengthening</i> trust and confidence <i>among</i> Member States and ruling out inappropriate <i>state-interventions</i> in crisis situations, in particular <i>by avoiding the unnecessary application of non-market measures and cross-zonal transmission flows and undue curtailment of cross-border capacities, thus reducing the risk of negative spill-over effects on neighbouring Member States</i>.</p>	<p>in better risk preparedness at a lower cost. This Regulation [] should also strengthen the internal energy market by enhancing trust and confidence across Member States and ruling out inappropriate state interventions in electricity crisis situations, in particular avoiding undue curtailment of cross-border flows.</p>	
<p>(7) The Directive on security of network and information systems (the NIS Directive)¹ provides general rules, while specific rules on cybersecurity will be developed through a network code as foreseen in the [proposed <i>Electricity Regulation</i>]. This Regulation complements the NIS Directive ensuring that cyber-incidenters are properly identified as a risk, and the measures taken to deal with them are properly reflected in the risk-preparedness plans.</p>			<p>No changes</p>

¹ Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 concerning measures for a high common level of security of network and information systems across the Union, OJ L 194, 19.07.2016, p. 1-30.

<p>(8) Council Directive 2008/114/EC¹ lays down a process with a view to enhancing the security of designated European critical infrastructure, including certain electricity infrastructure, in the Union. Directive 2008/114/EC together with this Regulation contributes to creating a comprehensive approach to the energy security of the Union.</p>			<p><i>No changes</i></p>
<p>(9) Decision No 1313/2013/EU² of the European Parliament and of the Council on a Union Civil Protection Mechanism sets out requirements for Member States to develop risk assessments at national or appropriate sub-national level every three years, and to develop and refine disaster risk management planning. The specific risk prevention, preparedness and planning actions in this Regulation should be coherent with the wider, multi-hazard national risk assessments required under Decision No 1313/2013/EU.</p>			<p><i>No changes</i></p>

¹ Directive 2008/114/EC of 8 December 2008 on the identification and designation of European critical infrastructures and the assessment of the need to improve their protection (OJ L 345, 23.12.2008, p. 75).

² Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism (OJ L 347, 20.12.2013, p 24).

<p>(10) To facilitate prevention, information exchange and ex-post evaluation of electricity crises, Member States should designate one competent authority as a contact point. This may be an existing or new entity.</p>	<p>AM 6 <i>(10) Security of supply is a shared responsibility among many actors, with each having a clearly defined role to play in the management of electricity systems. Distribution systems operators and transmission system operators play a key role in ensuring a secure, reliable and efficient electricity system in accordance with Articles 31 and 40 of Directive (EU) .../... of the European Parliament and of the Council [proposed Electricity Directive, COD 2016/380]. The regulatory authorities and other relevant national authorities also play an important role in ensuring and monitoring the security of electricity supply, as part of their tasks attributed by Article 59 of Directive (EU) .../... [proposed Electricity Directive]. With the aim of ensuring transparent and inclusive participation of all the actors involved, efficient preparation and proper implementation of the risk preparedness plans and the regional agreements, as well as facilitating prevention, information exchange and ex-post evaluation of electricity crises, Member States should designate a single competent national governmental or regulatory authority as a contact point. This may be an existing or new entity.</i></p>	<p><i>To be discussed</i></p>
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	<p>AM 7 <i>(10 a) A common approach to crisis prevention and management requires a common definition of the electricity crisis. In order to overcome the current divergent approaches across the Union, this Regulation should define an electricity crisis, in broad terms, as a situation in which a significant shortage of or an impossibility to deliver electricity is present or imminent. Member States should be required to identify concrete electricity crisis scenarios at the regional and national level and subsequently identify concrete measures to address such situations in their risk preparedness plans. That approach should ensure that all possible crisis situations are covered, taking into account regional and national specificities such as the topography of the grid, the electricity mix, the size of production and consumption and the dispersion of population.</i></p>	<p>(10a) A common approach to electricity crisis prevention and management requires the same understanding between Member States when an electricity crisis occurs. In particular this Regulation should help to coordinate identifying the situation of an electricity crisis as a situation in which a potential risk of a significant shortage of, or an impossibility to deliver, electricity is present or imminent.</p>	<p><i>Accept in part</i> (10a) A common approach to electricity crisis prevention and management requires [] a common understanding between Member States when an electricity crisis occurs. In particular this Regulation should help to coordinate identifying the situation of an electricity crisis as a situation in which a potential risk of a significant shortage of, or an impossibility to deliver, electricity is present or imminent. <u>Member States should be required to identify concrete electricity crisis scenarios at the regional and national level and subsequently identify concrete measures to address such situations in their risk preparedness plans. That approach should ensure that all possible crisis situations are covered, taking into account regional and national specificities such as the topography of the grid, the electricity mix, the size of production and consumption and the dispersion of population.</u></p>
<p>(11) A common approach to crisis prevention and management requires, above all, that Member States use the same methods and definitions to identify risks relating to electricity supply and are in a position</p>	<p>AM 8 (11) There is a need for Member States to use common methods and definitions to identify risks relating to the security of electricity supply, allowing them to effectively compare how well they and their neighbours</p>	<p>(11) A common approach to electricity crisis prevention and management requires, above all, that Member States use the same methods and definitions to identify risks relating to the security of electricity supply and</p>	<p><i>To be discussed</i></p>

<p>effectively to compare how well they and their neighbours perform in that area. The Regulation identifies two indicators to monitor the security of electricity supply in the Union: 'expected energy non served' (EENS), expressed in GWh/year, and 'loss of load expectation' (LOLE), expressed in hours/year. These indicators are part of the European resource adequacy assessment carried out by the European Network of Transmission System Operators for Electricity (ENTSO-E), pursuant to [Article 19 of the proposed Electricity Regulation]. The Electricity Coordination Group shall carry out regular monitoring of the security of supply based on the results of these indicators. The Agency for the Cooperation of Energy Regulators (Agency) should also use these indicators, when reporting on Member States' performance in the area of security of supply in its annual electricity market monitoring reports, pursuant to [Article 16 of the proposed ACER Regulation].</p>	<p>perform in that area. The Regulation identifies two indicators to monitor the security of electricity supply in the Union: 'expected energy non served' (EENS), expressed in GWh/year, and 'loss of load expectation' (LOLE), expressed in hours/year. These indicators are part of the European resource adequacy assessment carried out by the European Network of Transmission System Operators for Electricity (ENTSO-E), pursuant to [Article 19 of the proposed Electricity Regulation]. The Electricity Coordination Group shall carry out regular monitoring of the security of supply based on the results of these indicators. The Agency for the Cooperation of Energy Regulators (Agency) should also use these indicators, when reporting on Member States' performance in the area of security of supply in its annual electricity market monitoring reports, pursuant to [Article 16 of the proposed ACER Regulation].</p>	<p>are in a position [] to effectively compare how well they and their neighbours perform in that area. This Regulation identifies two indicators to monitor the security of electricity supply in the Union: 'expected energy non served' (EENS), expressed in GWh/year, and 'loss of load expectation' (LOLE), expressed in hours/year. These indicators are part of the European resource adequacy assessment carried out by the European Network of Transmission System Operators for Electricity (ENTSO-E), pursuant to [Article 19 of the proposed Electricity Regulation]. The Electricity Coordination Group [] should carry out regular monitoring of the security of supply based on the results of these indicators. The Agency for the Cooperation of Energy Regulators (the Agency) should also use these indicators, when reporting on Member States' performance in the area of security of supply in its annual electricity market monitoring reports, pursuant to [Article 16 of the proposed ACER Regulation].</p>	
<p>(12) To ensure the coherence of risk assessments that builds trust between Member States in a crisis situation a common approach to identifying risk scenarios is needed. Therefore,</p>	<p>AM 9 (12) To ensure coherence <i>in the assessment</i> of risk <i>and build</i> trust between Member States in a crisis situation, a common approach to <i>identify</i> risk scenarios is needed.</p>	<p>(12) To ensure the coherence of risk assessments that builds trust between Member States in a electricity crisis situation a common approach to identifying risk scenarios is needed.</p>	<p><i>To be discussed</i></p>

<p>ENTSO-E should develop a common methodology for risk identification in cooperation with the Agency, with ENTSO-E proposing the methodology and the Agency approving it.</p>	<p>Therefore, <i>after consulting the relevant stakeholders including generators of both conventional and renewable energy</i>, ENTSO-E should develop <i>and regularly update</i>, a common methodology for risk identification in cooperation with the Agency, with ENTSO-E proposing the methodology and <i>the updates thereof, and</i> the Agency approving it.</p> <p>AM 10</p>	<p>Therefore, ENTSO-E should develop a common methodology for risk identification in cooperation with the Agency, with ENTSO-E proposing the methodology and the Agency approving it.</p>	
<p>(13) On the basis of this common methodology, ENTSO-E should regularly draw up and update regional crisis scenarios and identify the most relevant risks for each region such as extreme weather conditions, natural disasters, fuel shortages or malicious attacks. When considering the crisis scenario of gas fuel shortage, the risk of gas supply disruption should be assessed based on the gas supply and infrastructure disruption scenarios developed by the European Network of Transmission System Operators for Gas pursuant to Article 6.6 of the Gas Security of Supply Regulation [proposed Gas Security of Supply Regulation]. Member States should establish and update their national crisis scenarios on this basis, in principle every three years. The scenarios should provide the basis for the risk-preparedness plans. When identifying risks on national level the</p>	<p>(13) On the basis of this common methodology, ENTSO-E should regularly draw up and update regional crisis scenarios and identify the most relevant risks for each region such as extreme weather conditions, natural disasters, fuel shortages or malicious attacks. When considering the crisis scenario of gas fuel shortage, the risk of gas supply disruption should be assessed based on the gas supply and infrastructure disruption scenarios developed by the European Network of Transmission System Operators for Gas pursuant to Article 6.6 of the Gas Security of Supply Regulation [proposed Gas Security of Supply Regulation] <i>In order to reinforce the regional approach to risk-assessment, ENTSO-E should be able to delegate tasks related to the identification of regional crisis scenarios to regional coordination centres.</i> Member States should, <i>on the basis of those regional</i></p>	<p>(13) On the basis of that common methodology, ENTSO-E should regularly draw up and update regional crisis scenarios and identify the most relevant risks for each region such as extreme weather conditions, natural disasters, fuel shortages or malicious attacks. When considering the crisis scenario of gas fuel shortage, the risk of gas supply disruption should be assessed based on the gas supply and infrastructure disruption scenarios developed by the European Network of Transmission System Operators for Gas (ENTSO) pursuant to Article 6.6 of the Gas Security of Supply Regulation [proposed Gas Security of Supply Regulation]. Member States should establish and update their national crisis scenarios on that basis, in principle every [] four years. The scenarios should provide the basis for the risk-preparedness plans. When identifying risks on national level the</p>	<p><i>Maintain Council GA</i></p>

<p>Member States should also describe possible risks they see in relation to the ownership of infrastructure relevant for security of supply, and possible measures taken, if any, to address such risks (such as general or sector-specific investment screening laws, special rights for certain shareholders, etc.), with an indication why in their view such measures are justified.</p>	<p><i>crisis scenarios</i>, establish and update their national crisis scenarios, in principle every three years. The scenarios should <i>then</i> provide the basis for the risk-preparedness plans. When identifying risks on national level the Member States should also describe possible risks they see in relation to the ownership of infrastructure relevant for security of supply, and <i>any</i> measures taken, to address such risks (such as general or sector-specific investment screening laws, special rights for certain shareholders, etc.), with an indication why in their view such measures are <i>considered to be necessary and proportionate</i>.</p>	<p>Member States should also describe possible risks they see in relation to the ownership of infrastructure relevant for electricity security of supply, and possible measures taken, if any, to address such risks (such as general or sector-specific investment screening laws, special rights for certain shareholders, etc.), with an indication why in their view such measures are justified.</p>	
<p>(14) A regional approach to identifying risk scenarios and developing preventive and mitigating measures should bring significant benefits in terms of the effectiveness of measures and optimal use of resources. Moreover, in a simultaneous and pre-agreed crisis, a coordinated and pre-agreed approach will ensure a consistent response and reduce the risk of negative spill-over effects that purely national measures could have in neighbouring Member States. This Regulation therefore requires Member States to cooperate in a regional context.</p>		<p>(14) A regional approach to identifying risk scenarios and developing preventive, preparatory and mitigating measures should bring significant benefits in terms of the effectiveness of measures and optimal use of resources. Moreover, in a simultaneous [] crisis, a coordinated and pre-agreed approach will ensure a consistent response and reduce the risk of negative spill-over effects that purely national measures could have in neighbouring Member States. This Regulation therefore requires Member States to cooperate in a regional context.</p>	<p><i>Maintain Council GA</i></p>

<p>(15) As stated in the [proposed Electricity Regulation], the regional operational centres should regularly assess relevant risks as they are entrusted with the operational management of such situations. To ensure that they can carry out their tasks effectively and act in close cooperation with relevant national authorities with a view to preventing and mitigating larger-scale incidents, the regional cooperation required under this Regulation should build on the regional cooperation structures used at technical level, namely the groups of Member States sharing the same regional operational centre.</p>	<p>AM 11</p> <p>(15) As stated in the [proposed Electricity Regulation], the regional coordination centres should regularly assess relevant risks as they are entrusted with the operational management of such situations. To ensure that they can carry out their tasks effectively and act in close cooperation with relevant national authorities with a view to preventing and mitigating larger-scale incidents, the regional cooperation required under this Regulation should build on the regional cooperation structures used at technical level, namely the groups of Member States sharing the same regional coordination centre.</p>	<p>(15) []</p>	<p>Maintain Council GA</p>
<p>(16) The [proposed Electricity Regulation] prescribes the use of a common methodology for the medium to long-term European resource adequacy assessment (from 10 year-ahead to year ahead), with a view to ensuring that Member States' decisions as to possible investment needs are made on a transparent and commonly agreed basis. This assessment has a different purpose than the short-term adequacy assessments which are used to detect possible adequacy related problems in short time-frames, namely seasonal outlooks (six months ahead) and week-ahead to intraday adequacy</p>	<p>AM12</p> <p>(16) The [proposed Electricity Regulation] prescribes the use of a common methodology for the medium to long-term European resource adequacy assessment (from 10 year-ahead to year ahead), with a view to ensuring that Member States' decisions as to possible investment needs are made on a transparent and commonly agreed basis. This assessment has a different purpose than the short-term adequacy assessments which are used to detect possible adequacy related problems in short time-frames, namely seasonal outlooks (six months ahead) and week-ahead to intraday adequacy</p>	<p>(16) The [proposed Electricity Regulation] prescribes the use of a common methodology for the medium to long-term European resource adequacy assessment (from 10 year-ahead to year ahead), with a view to ensuring that Member States' decisions as to possible investment needs are made on a transparent and commonly agreed basis. That assessment has a different purpose than the short-term adequacy assessments which are used to detect possible adequacy related problems in short time-frames, namely seasonal outlooks (six months ahead) and week-ahead to intraday adequacy</p>	<p>Maintain Council GA</p>

<p>assessments. Regarding short-term assessments, there is a need for a common approach to the way possible adequacy-related problems are detected. The ENTSO-E is to issue winter and summer outlooks to alert Member States and transmission system operators to security of supply related risks that might occur in the following six months. To improve these outlooks, they should be based on a common probabilistic methodology proposed by ENTSO-E and approved by the Agency. In order to reinforce the regional approach to assessing risks, ENTSO-E should be able to delegate tasks related to seasonal outlooks to regional operational centres.</p>	<p>assessments. Regarding short-term assessments, there is a need for a common approach to the way possible adequacy-related problems are detected. The ENTSO-E is to issue winter and summer outlooks to alert Member States and transmission system operators to security of supply related risks that might occur in the following six months. To improve these outlooks, they should be based on a common probabilistic methodology proposed by ENTSO-E, after consulting the relevant stakeholders, including environmental organisations and academia, and approved by the Agency and updated on a regular basis. In order to reinforce the regional approach to assessing risks, ENTSO-E should be able to delegate tasks related to seasonal outlooks to regional operational centres.</p>	<p>assessments. Regarding short-term assessments, there is a need for a common approach to the way possible adequacy-related problems are detected. The ENTSO-E is to issue winter and summer outlooks to alert Member States and transmission system operators to security of supply related risks that might occur in the following six months. To improve these outlooks, they should be based on a common probabilistic methodology proposed by ENTSO-E and approved by the Agency. []</p>	
<p>7(17) Transmission system operators and regional operational centres should apply the methodology used to prepare seasonal outlooks when carrying out any other type of short-term risk assessment, namely the week-ahead to intraday generation adequacy forecasts provided for in Commission Regulation on establishing a guideline on electricity transmission system operation.</p>		<p>(17) Transmission system operators [] should apply the methodology used to prepare seasonal outlooks when carrying out any other type of short-term risk assessment, namely the week-ahead to, at least day-ahead [] generation adequacy forecasts provided for in Commission Regulation on establishing a guideline on electricity transmission system operation.</p>	<p>Maintain Council GA</p>

<p>(18) To ensure a common approach to crisis prevention and management, the competent authority of each Member State should draw up a risk-preparedness plan, after consulting stakeholders. The plans should describe effective, proportionate and non-discriminatory measures especially as regards the conditions in which non-market measures can be taken to mitigate crisis situations. All envisaged non-market measures should comply with the rules set out in this Regulation.</p>	<p>AM 13</p> <p>(18) To ensure a common approach to crisis prevention and management, the competent authority of each Member State should, on the basis of the regional and national electricity crisis scenarios identified, draw up a risk-preparedness plan, after consulting relevant stakeholders. The plans should describe effective, proportionate and non-discriminatory measures addressing all identified crisis scenarios. Plans should provide transparency especially as regards the conditions in which non-market measures are considered necessary to mitigate crisis situations. All envisaged non-market measures should comply with the rules set out in this Regulation.</p>	<p>(18) To ensure a common approach to crisis prevention and management, the competent authority of each Member State should draw up a risk-preparedness plan, after consulting relevant stakeholders which should also cover a representative group of stakeholders and may also include the respective associations. The plans should describe effective, proportionate and non-discriminatory measures addressing all identified crisis scenarios. Plans should provide transparency especially as regards the conditions in which non-market measures can be taken to mitigate crisis situations. All envisaged non-market measures should comply with the rules set out in this Regulation.</p>	<p><i>Accept with changes</i></p> <p>(18) To ensure a common approach to crisis prevention and management, the competent authority of each Member State should, on the basis of the regional and national electricity crisis scenarios identified, draw up a risk-preparedness plan, after consulting relevant stakeholders which should also cover a representative group of stakeholders and may also include the respective associations. The plans should describe effective, proportionate and non-discriminatory measures addressing all identified crisis scenarios. Plans should provide transparency especially as regards the conditions in which non-market measures are considered necessary [] to mitigate crisis situations. All envisaged non-market measures should comply with the rules set out in this Regulation.</p>
<p>(19) Plans should consist of two parts, setting out national measures and regional measures agreed between the Member States in the region. Regional measures are necessary especially in the event of a simultaneous crisis, when a coordinated and pre-agreed approach will ensure a consistent response and reduce the risk of negative spill-over effects. Plans should take account of the specific</p>		<p>(19) Plans should consist of two parts, the first part setting out national measures and the second part setting out regional measures agreed between the Member States in the region. Regional measures are necessary especially in the event of a simultaneous crisis, when a coordinated and pre-agreed approach is to [] ensure a consistent response and reduce the risk of negative spill-over</p>	<p><i>Maintain Council GA</i></p>

<p>characteristics of the Member State and set out clearly the roles and responsibilities of the competent authorities. National measures should take full account of the regional measures agreed and take full advantage of the opportunities provided by regional cooperation. The plans should be technical and operational in nature, their function being to help prevent the occurrence or escalation of an electricity crisis and to mitigate its effects.</p>		<p>effects. Plans should take account among the relevant national circumstances the situation of outermost regions within the meaning of Article 349 of TFEU and some micro isolated systems that may not be connected to the national transmission systems; in this respect Member States should draw the appropriate consequences as regards, <i>inter alia</i>, the provisions of this Regulation on identification of crisis scenarios at regional level and the agreed coordinated cross-border measures in risk preparedness plans as well as provisions of assistance. The plans should also set out clearly the roles and responsibilities of the competent authorities. National measures should take full account of the regional measures agreed and take full advantage of the opportunities provided by regional cooperation. The plans should be technical and operational in nature, their function being to help prevent the occurrence or escalation of an electricity crisis and to mitigate its effects.</p>	
<p>(20) Plans should be updated regularly. To ensure that the plans are always up-to-date and effective, the competent authorities of each region should organise annual simulations in cooperation with regional operational</p>	<p>AM 14 (20) Plans should be updated regularly <i>and made public, while ensuring confidentiality of sensitive information</i>. To ensure that the plans are always up-to-date and effective, the</p>	<p>(20) Plans should be updated regularly. To ensure that the plans are always up-to-date and effective, the competent authorities of the Member States of each region should organise [] biennial simulations in cooperation</p>	<p>Maintain Council GA</p>

<p>centres to test their suitability.</p> <p>(21) Templates should facilitate the preparation of the plans and consultation with other Member States in the relevant region and the Electricity Coordination Group. Consultation within the region and via the Electricity Coordination Group should ensure that measures taken in one Member State or region do not put at risk the security of supply of other Member States or regions.</p>	<p>competent authorities of each region should organise annual simulations in cooperation with regional operational centres to test their suitability.</p>	<p>with Transmission System Operators and other relevant stakeholders [] in order to test their suitability.</p> <p>(21) [] The non-binding guideline of the Commission should facilitate and ease the preparation of the plans and consultation with other Member States in the relevant region and the Electricity Coordination Group. Consultation within the region and via the Electricity Coordination Group should ensure that measures taken in one Member State or region do not put at risk the security of supply of other Member States or regions.</p>	<p><i>Maintain Council GA</i></p>
<p>(22) Information exchange in the event of a crisis situation is essential in order to ensure coordinated action and targeted assistance. Therefore, this Regulation obliges Member States to inform neighbouring Member States and the Commission without delay when confronted with an electricity crisis. They should also provide information on the causes of the crisis, measures taken and planned to mitigate the crisis and the possible need for assistance from other Member States. Where this assistance goes beyond electricity security of supply, the Union Civil Protection Mechanism shall remain the applicable legislative framework.</p>		<p>(22) Information exchange in the event of a crisis situation is essential in order to ensure coordinated action and targeted assistance. Therefore, this Regulation obliges the competent authority of the Member States concerned to inform neighbouring Member States and the Commission without undue delay when confronted with an electricity crisis. [] It should also provide information on the causes of the crisis, measures taken and planned to mitigate the crisis and the possible need for assistance from other Member States. Where this assistance goes beyond electricity security of supply, the Union Civil Protection Mechanism shall remain the applicable</p>	<p><i>Maintain Council GA</i></p>

<p>(23) It is important to facilitate communication and awareness between Member States, whenever they have specific, serious and reliable information that an event may occur that is likely to result in a significant deterioration of the electricity supply. In such circumstances the Member States should inform the Commission and the Electricity Coordination Group without delay, providing, in particular, information on the causes of the deterioration, the planned measures to prevent an electricity crisis and the possible need for assistance from other Member States.</p>		<p>legislative framework. (23) It is important to facilitate communication and awareness between Member States, whenever they have specific, serious and reliable information that an [] electricity crisis may occur []. In such circumstances the Member States concerned should inform the Commission the neighbouring Member States and the Electricity Coordination Group without undue delay, providing, in particular, information on the causes of the deterioration, the planned measures to prevent an electricity crisis and on the possible need for assistance from other Member States.</p>	<p><i>Maintain Council GA</i></p>
<p>(24) In the event of an electricity crisis Member States should assist each other in a spirit of solidarity and ensure that electricity is delivered where it is most needed. This cooperation should be based on pre-agreed measures set out in the risk-preparedness plans. When agreeing on cooperation, Member States should take account of social and economic factors, including citizens' security, and proportionality. They are encouraged to share best practice and use the Electricity Coordination Group as a discussion platform to identify available options for cooperation and solidarity arrangements, including compensation</p>		<p>(24) In the event of an electricity crisis Member States should cooperate [] in a spirit of solidarity []. [] In addition to this general rule, appropriate provision should be made for Member States to offer each other assistance in an electricity crisis. Such assistance [] should be based on pre-agreed coordinated measures set out in the risk-preparedness plans. <i>(part of recital 24 was moved and amended below as recital 24a)</i> This Regulation leaves Member States a wide discretion when agreeing on the content of coordinated measures and thus the content of assistance. It is for them</p>	<p><i>Maintain Council GA</i></p>

<p>mechanisms. The Commission may facilitate the preparation of the regionally coordinated measures in the concerned region.</p>		<p>to identify, and agree on, such measures considering the demand and supply sides. At the same time this Regulation ensures that for the purpose of the agreed assistance electricity is delivered in a coordinated manner. Member States should also agree on the necessary technical, legal and financial arrangements for the implementation of the agreed coordinated measures. Subsequently, Member States should take all necessary measures for the implementation of the agreed coordinated measures and technical legal and financial arrangements.</p>	
<p>(<i>ex part of recital 24</i>) When agreeing on cooperation, Member States should take account of social and economic factors, including citizens' security, and proportionality. They are encouraged to share best practice and use the Electricity Coordination Group as a discussion platform to identify available options for cooperation and solidarity arrangements, including compensation mechanisms. The Commission may facilitate the preparation of the regionally coordinated measures in the concerned region.</p>		<p>(24a) (<i>ex part of recital 24</i>) When agreeing on [] coordinated measures and technical, legal and financial arrangements and otherwise implementing provisions on assistance, Member States should take account of social and economic factors, including citizens' security, and proportionality. They are encouraged to share best practice and use the Electricity Coordination Group as a discussion platform to identify available options for [] assistance, in particular concerning coordinated measures and the necessary technical, legal and financial [] arrangements, including fair compensation []. The Commission</p>	<p>Maintain Council GA</p>

		may facilitate the preparation of the regionally coordinated measures in the concerned region.	
		(24b) Assistance between Member States under this Regulation should be subject to fair compensation between them. This Regulation does not harmonise all aspects of such fair compensation between Member States. The Member States should therefore agree on provisions for fair compensation before assistance is provided. The Member State requesting assistance should promptly pay, or ensure prompt payment of, such compensation to the Member State providing assistance.	<i>Maintain Council GA</i>
		(24c) When providing assistance under this Regulation, Member States are implementing Union law and are therefore bound to respect fundamental rights guaranteed by Union law. Its measures may therefore, depending, inter alia, on the measures agreed between Member States, give rise to an obligation for a Member State to pay compensation to those affected by its measures. Member States should therefore, where necessary, ensure that national compensation rules are in place which are in	<i>Maintain Council GA</i>

		<p>conformity with Union law, in particular with fundamental rights. Moreover, it should be ensured that the Member State receiving assistance ultimately bears all reasonable costs incurred from the said obligation on the Member State providing assistance to pay compensation and further reasonable costs incurred from the payment of compensation pursuant to the said national compensation rules.</p>	
		<p>(24d) In the event of an electricity crisis, assistance should also be provided even if Member States have not yet agreed on coordinated measures and technical, legal and financial arrangements as required by the provisions of this Regulation on assistance. In order to be able to provide in such a situation assistance in conformity with the provisions of this Regulation, Member States should agree on ad hoc measures and arrangements to replace the missing coordinated measures and technical, legal and financial</p>	<p><i>Maintain Council GA</i></p>
		<p>(24e) This Regulation introduces, for the first time, such an assistance mechanism between Member States as an instrument to prevent or mitigate an electricity crisis within</p>	<p><i>Maintain Council GA</i></p>

		<p>the Union. The Commission should therefore review the assistance mechanism in the light of future experience with its functioning, and propose, where appropriate, modifications thereto.</p>	
		<p>(24f) Cyprus is currently the only Member State in the Union which is not directly interconnected to another Member State. It should be clarified with respect to certain provisions of this Regulation that, for as long as this situation lasts, these provisions do not apply with respect to Cyprus, namely the provisions on the identification of crisis scenarios at regional level, on including agreed coordinated cross-border measures in risk preparedness plans, as well as provisions on assistance. At the same time, Cyprus and relevant other Member States are encouraged to develop, with the support of the Commission, alternative measures and procedures in the fields covered by those provisions, provided that such alternative measures and procedures do not affect the effective application of this Regulation between the other Member States.</p>	<p><i>Maintain Council GA</i></p>

<p>(25) This Regulation should enable electricity undertakings and customers to rely on market mechanisms as laid down in [proposed Electricity Directive and Electricity Regulation] for as long as possible when coping with electricity crisis situations. Rules governing the internal market and system operation rules should be respected even in crisis situations. This means that non-market measures, such as forced demand disconnection, or the provision of extra supplies outside normal market functioning should be taken only as a last resort, when all possibilities offered by the market have been exhausted. Therefore forced demand disconnection can be introduced only after all possibilities for voluntary demand disconnection have been exhausted. In addition, any non-market measures should be necessary, proportionate, non-discriminatory and temporary.</p>	<p>(25) This Regulation should enable electricity undertakings and customers to rely on market mechanisms as laid down in [proposed Electricity Directive and Electricity Regulation] for as long as possible when coping with electricity crisis situations. Rules governing the internal market and system operation rules should be respected even in crisis situations. These rules include Article 22(1)(i) of this System operation guideline and Article 35 of network code on electricity emergency and restoration which govern transaction curtailment, limitation of provision of cross-zonal capacity for capacity allocation or limitation of provision of schedules. This means that non-market measures, such as forced demand disconnection, or the provision of extra supplies outside normal market functioning [] may be taken only as a last resort, when all possibilities provided [] by the market have been exhausted. Therefore forced demand disconnection can be introduced only after all possibilities for voluntary demand disconnection have been exhausted. In addition, any non-market measures should be necessary, proportionate, non-discriminatory and temporary.</p>	<p>Maintain Council GA</p>
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<p>(26) In order to ensure transparency after an electricity crisis, the Member States affected should carry out an ex-post evaluation of the crisis and its impacts, thereby duly associating its national regulatory authority. Such evaluation should take into account, inter alia, the effectiveness and proportionality of the measures taken as well as their economic cost. It should also cover cross-border considerations such as the impact of the measures on other Member States and the level of assistance received from them.</p>		<p>(26) In order to ensure transparency after an electricity crisis, each competent authority or competent authorities of the Member States affected should carry out an ex-post evaluation of the crisis and its impacts []. Such evaluation should take into account, inter alia, the effectiveness and proportionality of the measures taken as well as their economic cost. It should also cover cross-border considerations such as the impact of the measures on other Member States and the level of assistance received from them.</p>	<p><i>Maintain Council GA</i></p>
<p>(27) The transparency obligations should ensure that all measures taken to prevent or manage crisis situations respect internal market rules and are in line with the principles of co-operation and solidarity which underpin the Energy Union.</p>			<p><i>No changes</i></p>
<p>(28) In 2012, the Electricity Coordination Group was created as a forum to exchange information and foster co-operation across Member States, in particular in the area of security of supply¹. Through this Regulation, its role is reinforced. It should carry out specific tasks, notably in connection with the preparation of</p>	<p>AM 15 (28) In 2012, the Electricity Coordination Group was created as a forum to exchange information and foster co-operation across Member States, in particular in the area of security of supply¹¹. Through this Regulation, its role is reinforced. It should carry out specific tasks, notably in connection with the preparation of</p>	<p>(28) In 2012, the Electricity Coordination Group was created as a forum to exchange information and foster co-operation across Member States, in particular in the area of security of electricity supply.¹ Through this Regulation, its role is reinforced. It should carry out specific tasks, notably in connection with the</p>	<p><i>To be discussed</i></p>

¹ Commission Decision of 15 November 2012 setting up the Electricity Coordination Group (2012/C 353/02), OJ C 353, 17.11.2012, p. 2.

<p>the risk-preparedness plans, and will have a prominent role in monitoring Member States' performance in the area of the security of electricity supply, and developing best practice on this basis.</p>	<p>the risk-preparedness plans, and will have a prominent role in monitoring Member States' performance in the area of the security of electricity supply, and developing best practice on this basis. The Commission should take appropriate measures to ensure that the composition of the Electricity Coordination Group is revised to include new stakeholders such as industry, the EU DSO and consumer organisations.</p>	<p>preparation of the risk-preparedness plans, and [] should have a prominent role in monitoring Member States' performance in the area of the security of electricity supply, and developing best practice on that basis.</p>	
<p>(29) An electricity crisis might extend beyond Union borders comprising also Energy Community countries. In order to ensure an efficient crisis management on borders between the Member States and the Contracting Parties, the Union should closely cooperate with the Energy Community Contracting Parties when preventing, preparing for and handling an electricity crisis.</p>	<p>AM 16 (29) An electricity crisis might extend beyond Union borders comprising also Energy Community countries. As Party to the Energy Community Treaty, the Union should promote amendments to that Treaty with the aim of creating an integrated market and a single regulatory space by providing stable regulatory and appropriate and in order to ensure an efficient crisis management on borders between the Member States and the contracting Parties to the Energy Community Treaty, the Union should closely cooperate with the Energy Community Contracting Parties when preventing, preparing for and handling an electricity crisis.</p>	<p>(29) An electricity crisis might extend beyond Union borders comprising also Energy Community Contracting Parties. The Union should promote amendments to relevant Treaties with the aim of creating an integrated market and a single regulatory space by providing an appropriate and stable regulatory framework. In order to ensure an efficient crisis management [], the Union should closely cooperate with the Energy Community Contracting Parties, when preventing, preparing for and handling an electricity crisis.</p>	<p><i>Addressed in Council GA</i></p>

<p>(30) To allow for a swift Union response to changing circumstances as regards risk preparedness in the electricity sector, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amendments of the templates for risk preparedness plans. It is particularly important that the Commission carry out appropriate consultations during its preparatory work, including at expert level. When preparing and drawing up delegated acts, it should ensure that relevant documents are sent simultaneously to the European Parliament and the Council, in good time and in the appropriate manner.</p>		<p>(30) []</p>	<p><i>Maintain Council GA</i></p>
<p>(31) The Member States acting on their own cannot satisfactorily achieve the objective of this Regulation, namely to ensure the most effective and efficient risk preparedness within the Union. Given the scale or effects of the action, it is better achieved at Union level. The Union may therefore adopt measures, in accordance with the principle of subsidiarity set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality set out in that Article, this Regulation does not go beyond what is necessary to achieve that objective.</p>		<p>(31) Since the objective of this Regulation [], namely to ensure the most effective and efficient risk preparedness within the Union, cannot be sufficiently achieved by Member States but can rather, by reason of its scale and effects, be better achieved at Union level, [] the Union may [] adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality set out in that Article, this Regulation does not go beyond what is necessary to achieve that objective.</p>	<p><i>Maintain Council GA</i></p>

		<p>(31a) The Commission, competent authorities and national regulatory authorities, bodies, entities or persons which receive confidential information pursuant to this Regulation should ensure the confidentiality of the information which they receive. To this effect, information received and handled by Member States and their national authorities should be subject to national rules in place on the handling of confidential information and processes.</p>	<p><i>Maintain Council GA</i></p>
<p>(32) Directive 2005/89/EC should be repealed, HAVE ADOPTED THIS REGULATION:</p>			<p><i>No changes</i></p>
			<p><i>No changes</i></p>

**CHAPTER I
GENERAL PROVISIONS**

Article 1

Subject matter

<p>This Regulation lays down rules for the cooperation between Member States in view of preventing, preparing for and handling electricity crises in a spirit of solidarity and transparency and in full regard for the requirements of a competitive internal market for electricity.</p>	<p>AM 17 This Regulation lays down rules for the cooperation between Member States in view of preventing, preparing for and handling electricity crises in a spirit of solidarity and transparency, in full regard for the requirements of a competitive internal market for electricity and in line with the Union's energy and climate objectives.</p>	<p>This Regulation lays down rules for the cooperation between Member States in view of preventing and preparing for [] managing electricity crises in a spirit of solidarity and transparency and in full regard for the requirements of a competitive internal market for electricity.</p>	<p><i>To be discussed</i></p>
<p><i>Article 2</i> Definitions</p>			
<p>1. For the purposes of this Regulation, the definitions in Article 2 of the Electricity Directive [proposed Electricity Directive] and Article 2 of the Electricity Regulation [proposed Electricity Regulation] shall apply.</p> <p>2. The following definitions shall also apply:</p> <p>(a) 'security of electricity supply' means the ability of an electricity system to guarantee an uninterrupted supply of electricity to consumers with a clearly defined level of performance;</p>		<p>1. For the purposes of this Regulation, the definitions set out in Article 2 of the Electricity Directive [proposed Electricity Directive] and in Article 2 of the Electricity Regulation [proposed Electricity Regulation] shall apply.</p>	<p><i>Maintain Council GA</i></p>
		<p>(a) 'security of electricity supply' means the ability of an electricity system to guarantee [] the supply of electricity to [] customers with a clearly defined level of performance as defined by Member States.</p>	<p><i>No changes</i></p> <p><i>Maintain Council GA</i></p>

<p>(b) 'electricity crisis' means a situation of significant electricity shortage or impossibility to deliver electricity to end-consumers, either existent or imminent;</p>	<p>AM 18 (b) 'electricity crisis' means a situation of significant electricity shortage or impossibility to deliver electricity to end-consumers, either existent or imminent, based on parameters defined in national and regional crisis scenarios;</p>	<p>(b) 'electricity crisis' means a situation of significant electricity shortage or impossibility to [] supply electricity to [] customers, either existent or imminent, as defined by the Member States and described in the risk preparedness plans.</p>	<p><i>Addressed in Council GA</i></p>
<p>(c) 'simultaneous crisis' means an electricity crisis affecting more than one Member State at the same time;</p>			<p><i>No changes</i></p>
<p>(d) 'crisis manager or team' means a person, group of persons or institution tasked with acting as a contact point and coordinating the information flow during an electricity crisis;</p>	<p>AM 19 (ca) 'competent authority' means a national governmental authority or a regulatory authority designated by a Member State to ensure the implementation of the measures provided for in this Regulation</p>		<p><i>To be discussed</i></p>
<p>(e) 'non-market measure' means any supply- or demand-side measure deviating from market rules or commercial agreements, with a view to mitigate an electricity crisis;</p>		<p>(d) 'crisis [] coordinator' means a person, group of persons, a team composed of the relevant national electricity crisis managers or institution tasked with acting as a contact point and coordinating the information flow during an electricity crisis;</p>	<p><i>Maintain Council GA</i></p>
<p>(e) 'non-market measure' means any supply- or demand-side measure deviating from market rules or commercial agreements, with a view to mitigate an electricity crisis;</p>	<p>AM 20 (e) 'non-market measure' means any supply-side, network-side or demand-side measure deviating from market rules or commercial agreements, with a view to mitigate an electricity crisis;</p>		<p><i>To be discussed</i></p>

<p>(f) 'region' means a group of Member States sharing the same regional operational centre, as created pursuant to Article 33 of the Electricity Regulation [proposed Electricity Regulation].</p>		<p>(f) 'region' means a group of Member States whose transmission system operators are sharing the same [] Regional Security Coordinator, for the function of regional operational security as created pursuant to the System Operation Guideline adopted on the basis of Article 18 of Regulation 714/2009, or, a sub-group of such a group of Member States which belong to the same capacity calculation region.</p>	<p>Maintain Council GA</p>
	<p>AM 21 <i>(fa) 'macro-region' means a group of Member States engaged in a structured macro-regional partnership, pursuant to Article 2(18)(a) of Regulation (EU) ... [proposed Governance of the Energy Union Electricity Regulation].</i></p>		<p>Maintain Council GA / Reject</p>
		<p>(g) 'early warning level of electricity crisis': when there is concrete, and reliable information that an event may occur which is likely to result in significant deterioration of the electricity supply situation and is likely to lead to electricity crisis.</p>	<p>Maintain Council GA</p>

Article 3

Competent authority

<p>1. As soon as possible and by [OPOCE to insert exact date: three months after entry into force of this Regulation] at the latest, each Member State shall designate a national governmental or regulatory authority as its competent authority in charge of carrying out tasks set out in this Regulation. Competent Authorities shall cooperate with each other for the purposes of this Regulation.</p>		<p>1. As soon as possible and by [OPOCE to insert exact date: <input type="checkbox"/> six months after entry into force of this Regulation] at the latest, each Member State shall designate a national governmental or regulatory authority as its competent authority in charge of carrying out tasks provided for <input type="checkbox"/> in this Regulation. Competent Authorities shall cooperate with each other for the purposes of this Regulation.</p>	<p>Maintain Council GA</p>
<p>2. Member States shall notify the Commission without delay of the name and the contact details of the competent authority, once designated.</p>	<p>AM 22 2. Each Member State shall, without delay, notify the Commission, and make public, the name and the contact details of its competent authority and any changes thereto.</p>	<p>2. Member States shall notify the Commission, the Electricity Coordination Group without delay of the name and the contact details of the competent authority, once designated.</p>	<p>To be discussed</p>
		<p>3. Member States may allow the competent authority to delegate operational tasks regarding risk-preparedness planning and risk management set-out in chapters I to V in this Regulation to other bodies. Delegated tasks shall be performed under the supervision of the competent authority and shall be specified in the risk-preparedness plan in accordance with Article 11.</p>	<p>Maintain Council GA</p>

**CHAPTER II
RISK ASSESSMENT**

<i>Article 4</i> Security of supply assessments		<i>Article 4</i> Assessment of risks to security of electricity supply []	<i>Maintain Council GA</i>
<p>Member States shall ensure that all risks relating to security of electricity supply are assessed in accordance with the rules set out in this Regulation and Article 18 of the Electricity Regulation [proposed Electricity Regulation]. To this end, they shall cooperate with ENTSO-E and the regional operational centres.</p>	<p>AM 23 <i>Member States shall ensure that all risks relating to security of electricity supply are assessed in accordance with the rules set out in this Regulation and the European resource adequacy assessment set out in Chapter IV of Regulation (EU) ... [proposed Electricity Regulation]. Security of electricity supply shall imply effective cooperation amongst relevant stakeholders, Member States, primarily through their competent authorities, the regional coordination centres, and the Commission with the Union's other institutions and bodies, all within their respective areas of activity and competence. To this end, they shall cooperate with ENTSO-E and the regional operational centres, and the transmission system operators, the national regulatory authorities and other relevant stakeholders.</i></p>	<p>The competent authority of each Member States shall ensure that all relevant risks relating to security of electricity supply are assessed in accordance with the rules set out in this Regulation and [] in Chapter IV of the Electricity Regulation [proposed Electricity Regulation]. To this end, they shall cooperate with the transmission and relevant distribution system operators, national regulatory authorities, ENTSO-E, regional security coordinators and other relevant stakeholders as required.</p>	<i>Maintain Council GA</i>

Article 5

Methodology for identifying electricity crisis scenarios at a regional level

		Maintain Council GA
<p>AM 24</p> <p>1. By [OPOCE to insert exact date: <i>two months after entry into force of this Regulation</i>], ENTSO-E shall submit to the Agency a proposal for a methodology for identifying the most relevant electricity crisis scenarios in a regional context.</p>	<p>1. By [OPOCE to insert exact date: <i>[] six months after entry into force of this Regulation</i>], ENTSO-E shall submit to the Agency a proposal for a methodology for identifying the most relevant electricity crisis scenarios in a regional context.</p>	Maintain Council GA
<p>2. The crisis scenarios shall be identified on the basis of at least the following risks:</p> <p>(a) rare and extreme natural hazards;</p> <p>(b) accidental hazards going beyond the N-1 security criterion;</p> <p>(c) consequential hazards including fuel shortages;</p> <p>(d) malicious attacks.</p>	<p>2. The proposed methodology shall identify crisis scenarios in relation to system adequacy, system security and fuel security [] on the basis of at least the following risks:</p> <p>(b) accidental hazards going beyond the N-1 security criterion, and exceptional contingencies;</p> <p>(c) consequential hazards including consequences of malicious attacks and of fuel shortages;</p> <p>[].</p>	Maintain Council GA
<p>3. The proposed methodology shall include at least the following elements:</p> <p>(a) consideration of all relevant national and regional circumstances;</p> <p>(b) interaction and correlation of risks across borders;</p> <p>(c) simulations of simultaneous crisis scenarios;</p>		Maintain Council GA, addressed above in GA (c)
		No changes

<p>(d) ranking of risks according to their impact and probability.</p>		<p>(e) principles on how to handle sensitive information while ensuring transparency towards the public.</p>	<p>No changes</p>
<p>When considering the risks of gas disruption in the context of identifying the risks pursuant paragraph 2(c), ENTSO-E shall use the gas supply and infrastructure disruption scenarios developed by the European Network of Transmission System Operators for Gas pursuant to Art. 6.6 of the Gas Security of Supply Regulation [proposed Gas Security of Supply Regulation].</p>		<p>3a (from last part of paragraph 3) When considering the risks of gas supply disruption in the context of identifying the risks pursuant to point (c) of paragraph 2 [], ENTSO-E shall use the natural gas supply and infrastructure disruption scenarios developed by the [] ENTSOG pursuant to Art. 7 [] of the <i>Gas Security of Supply Regulation [proposed Gas Security of Supply Regulation]</i>.</p>	<p>Maintain Council GA</p>
<p>4. Before submitting the proposed methodology, ENTSO-E shall conduct a consultation exercise involving at least the industry and consumer organisations, distribution system operators, national regulatory authorities and other national authorities. ENTSO-E shall duly take into account the results of the consultation.</p>	<p>AM 25</p> <p>4. Before submitting the proposed methodology, ENTSO-E shall conduct a consultation exercise involving at least the regional coordination centres, industry and consumer organisations, generators, the transmission system operators, the competent authorities, the national regulatory authorities, other national authorities and other relevant stakeholders. ENTSO-E shall duly take into account the result of the consultation.</p>	<p>4. Before submitting the proposed methodology, ENTSO-E shall conduct a consultation [] involving at least the industry and consumer organisations, producers or their trade bodies, transmission and distribution system operators, competent authorities, national regulatory authorities and other national authorities. ENTSO-E shall duly take into account the results of the consultation and present them, together with the proposed methodology, to the Electricity Coordination Group.</p>	<p>Accept in part</p> <p>4. Before submitting the proposed methodology, ENTSO-E shall conduct a consultation [] involving at least the Regional Security Coordinators, industry and consumer organisations, producers or their trade bodies, transmission and distribution system operators, competent authorities, national regulatory authorities and other national authorities. ENTSO-E shall duly take into account the results of the consultation and present them, together with the proposed methodology, to the Electricity Coordination Group.</p>

<p>5. Within two months of receiving the proposed methodology, the Agency shall either approve the proposal or amend it. In the latter case, it shall consult ENTSO-E before adopting the amended version and publish it on its website.</p>		<p>5. Within two months of the receipt of [] the proposed methodology, the Agency shall either approve the proposal or amend it. In the latter case, it shall consult ENTSO-E and the competent authorities before adopting the amended version and shall duly take account of the results of the consultation. The final version of the methodology shall be published on the [] websites of the Agency and ENTSO-E.</p>	<p>Maintain Council GA</p>
<p>6. ENTSO-E shall update and improve the methodology regularly in accordance with paragraphs 1 to 5. The Agency or the Commission may request such updates and improvements with due justification. Within six months from the request, ENTSO-E shall submit to a draft of the proposed changes. Within a period of two months of receiving the draft, the Agency shall amend or approve the changes and publish it on its website.</p>	<p>AM 26</p> <p>6. ENTSO-E shall update and improve the methodology regularly in accordance with paragraphs 1 to 5. The Agency or the Commission may request such updates and improvements with due justification. Within a period of two months from the request, ENTSO-E shall submit to the Agency a draft of the proposed changes. Within a period of two months of receipt of the draft, the Agency shall approve <i>or amend</i> the changes and publish it on its website.</p>	<p>6. ENTSO-E shall update and improve the methodology [] when significant new information becomes available in accordance with paragraphs 1 to 5. The Electricity Coordination Group may recommend and the Agency or the Commission may request such updates and improvements with due justification. Within six months from the request, ENTSO-E shall submit to the Agency a draft of the proposed changes. Within [] two months of the receipt of [] the draft, the Agency shall [] approve or amend the proposed changes. In the latter case, it shall consult ENTSO-E, competent authorities and national regulatory authorities before adopting the amended changes and shall duly take account of the results of the consultation. The final version shall be published on the [] websites of ENTSO-E and the Agency.</p>	<p>Maintain Council GA</p>

Identification of electricity crisis scenarios at a regional level

<p>1. By [OPOCE to insert exact date: ten months after entry into force of this Regulation] and on the basis of the methodology adopted pursuant to Article 5, ENTSO-E shall identify the most relevant electricity crisis scenarios for each region. It may delegate tasks relating to the identification of regional crisis scenarios to the regional operational centres.</p>	<p>AM 27</p> <p>1. By [OPOCE to insert exact date: ten months after <i>the date of</i> entry into force of this Regulation] and on the basis of the methodology adopted pursuant to Article 5, ENTSO-E shall identify, <i>in close cooperation with the Electricity Coordination Group</i>, the most relevant electricity crisis scenarios for each region. It may delegate tasks relating to the identification of regional crisis scenarios to the regional <i>coordination centres</i>. <i>The regional coordination centres shall consult the Electricity Coordination Group for that purpose. When identifying the risk scenarios related to malicious attacks, ENTSO-E and the regional coordination centres shall ensure that the confidentiality of sensitive information is preserved.</i></p>	<p>1. By [OPOCE to insert exact date: [] six months after [] the approval of methodology as defined in Article 5(5)] and on the basis of the methodology adopted pursuant to Article 5, ENTSO-E, in close cooperation with the Electricity Coordination Group, regional security coordinators, competent authorities and national regulatory authorities, shall identify the most relevant electricity crisis scenarios for each region. []</p>	<p><i>To be discussed</i></p>
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<p>2. ENTSO-E shall submit the regional electricity crisis scenarios identified to the Electricity Coordination Group for consultation.</p>		<p>2. ENTSO-E shall submit the regional electricity crisis scenarios identified to the relevant transmission system operators, regional security coordinators, competent authorities and national regulatory authorities and the Electricity Coordination Group which may recommend amendments [].</p>	<p>Maintain Council GA</p>
<p>3. ENTSO-E shall update the scenarios every three years, unless circumstances warrant more frequent updates.</p>		<p>3. ENTSO-E shall update the regional crisis scenarios every [] four years, unless circumstances warrant more frequent updates.</p>	<p>Maintain Council GA</p>
<p><i>Article 7</i></p> <p>Identification of electricity crisis scenarios at national level</p>			
<p>1. By [OPOCE to insert exact date: ten months after entry into force of this Regulation], Member States shall identify the most relevant electricity crisis scenarios at the national level.</p>	<p>AM 28</p> <p>1. By[OPOCE to insert exact date: <i>twelve</i> months after <i>the date of</i> entry into force of this Regulation], Member States shall identify the most relevant electricity crisis scenarios at the national level, <i>with at least the involvement of the distribution system operators, the transmission system operators and generators, whilst ensuring the confidentiality of sensitive information.</i></p>	<p>1. By [] four months after [] identification of electricity crisis scenarios at a regional level in accordance with Article 6, the designated competent authority, shall identify the most relevant electricity crisis scenarios at the national level.</p>	<p>Maintain Council GA (<i>addressed in 1a below</i>)</p>

		<p>1a. In identifying the national electricity crisis scenarios the competent authority, shall consult the transmission and relevant distribution system operators, relevant producers or their trade bodies and the national regulatory authority where it is not the competent authority.</p>	<p><i>Maintain Council GA</i></p>
<p>2. The crisis scenarios shall be identified on the basis of at least the risks referred to in Article 5(2) and shall be consistent with the regional scenarios identified pursuant to Article 6. Member States shall update the scenarios every three years, unless circumstances warrant more frequent updates.</p>		<p>2. The crisis scenarios shall be identified on the basis of at least the risks referred to in Article 5(2) and shall be consistent with the regional scenarios identified pursuant to Article 6. Member States shall update the scenarios every [] four years, unless circumstances warrant more frequent updates.</p>	<p><i>Maintain Council GA</i></p>
<p>3. By [OPOCE to insert exact date: ten months after entry into force of this Regulation], Member States shall inform the Electricity Coordination Group and the Commission about possible risks they see in relation to the ownership of infrastructure relevant for security of supply, and any measures taken to prevent or mitigate such risks, with an indication of why such measures are considered necessary and proportionate.</p>		<p>3. By [] four months after identification of electricity crisis scenarios at a regional level in accordance with Article 6, Member States shall inform the Electricity Coordination Group and the Commission about possible risks they see in relation to the ownership of infrastructure relevant for electricity security of supply, and any measures taken to prevent or mitigate such risks, with an indication of why such measures are considered necessary and proportionate.</p>	<p><i>Maintain Council GA</i></p>

	<p>AM 29</p> <p>Article 7a</p> <p>Guidelines for the prevention and handling of crises</p>		<p><i>Maintain Council GA / Reject</i></p>
	<p>1. Taking into account the European adequacy assessment as well as other relevant regulations, the Agency for the Co-operation of Energy Regulators shall draft the Union-wide guidelines for the prevention and handling of crises and non-market measures and system operational rules. When preparing the guidelines, the Agency shall give preference, as far as possible, to measures that have least impact on the environment.</p>		<p><i>Maintain Council GA / Reject</i></p>
	<p>2. The guidelines shall also include the principles of compensation schemes and principles for identifying protected customers.</p>		<p><i>Maintain Council GA / Reject</i></p>
	<p>3. The Agency shall review and, if necessary, update those solutions every three years, unless circumstances warrant more frequent reviews.</p>		<p><i>Maintain Council GA / Reject</i></p>

Article 8

Methodology for short-term adequacy assessments	AM 30 Methodology for short-term and seasonal adequacy assessments		Accept Methodology for short-term and seasonal adequacy assessments Maintain Council GA
<p>1. By [OPOCE to insert exact date: two months after entry into force of this Regulation], ENTSO-E shall submit to the Agency a proposal for a methodology for assessing short-term adequacy, namely seasonal adequacy as well as week-ahead to intraday adequacy, which shall cover at least the following:</p>	<p>AM 31 1. By [OPOCE to insert exact date: <i>four</i> months after <i>the date of</i> entry into force of this Regulation], ENTSO-E shall submit to the Agency a proposal for a methodology for assessing short-term <i>and</i> seasonal adequacy, which shall cover at least the following:</p>	<p>1. By [OPOCE to insert exact date: [] <i>six</i> months after entry into force of this Regulation], ENTSO-E shall submit to the Agency a proposal for a methodology for assessing seasonal and short-term adequacy, namely [] monthly, week-ahead to day ahead [] adequacy, which shall cover at least the following:</p>	<p><i>Maintain Council GA</i></p>
<p>(a) the uncertainty of inputs such as the probability of a transmission capacity outage, the probability of an unplanned outage of power plants, severe weather conditions, variability of demand and variability of energy production from renewable energy sources;</p>	<p>AM 32 (a) the uncertainty of inputs such as the probability of a transmission capacity outage, the probability of an unplanned outage of power plants, severe weather conditions, <i>variable demand, in particular peaks depending on weather conditions</i>, and variability of energy production from renewable energy sources;</p>		<p><i>Accept</i> (a) the uncertainty of inputs such as the probability of a transmission capacity outage, the probability of an unplanned outage of power plants, severe weather conditions, <u><i>variable demand, in particular peaks depending on weather conditions</i></u>, and variability of energy production from renewable energy sources;</p>
<p>(b) the probability of the occurrence of a critical situation; (c) the probability of the occurrence of a simultaneous crisis situation.</p>	<p>AM 33 (b) the probability of the occurrence of <i>an electricity crisis</i>;</p>	<p>(b) the probability of the occurrence of [] an electricity crisis; (c) the probability of the occurrence of a simultaneous electricity crisis [].</p>	<p><i>Addressed in Council GA</i> <i>Maintain Council GA</i></p>

<p>The methodology shall provide for a probabilistic approach and consider the regional and Union wide context, including to the extent possible non-EU countries within synchronous areas of the Union.</p>	<p>AM 34 The methodology shall provide for a probabilistic approach and consider the regional and Union wide context, including <i>the level of interconnection between Member States and</i> to the extent possible non-EU countries within synchronous areas of the Union.</p>	<p>1a. (before part of paragraph 1) The methodology shall provide for a probabilistic approach, including multiple scenarios, and consider the national, regional and Union wide context, including to the extent possible non-EU countries within synchronous areas of the Union. The methodology shall take into account the specificities of each Member State's energy sector, including specific weather conditions and external circumstances.</p>	<p><i>To be discussed</i></p>
<p>2. Before submitting the proposed methodology, ENTSO-E shall conduct a consultation involving at least the industry and consumer, distribution system operators, national regulatory authorities and other national authorities. ENTSO-E shall duly take into account the results of the consultation.</p>	<p>AM 35 2. Before submitting the proposed methodology, ENTSO-E shall conduct a consultation involving at least the <i>regional coordination centres</i>, industry and consumer <i>organisations</i>, <i>generators, the transmission system operators and the distribution system operators, the competent authorities</i>, the national regulatory authorities, other national authorities <i>and relevant stakeholders</i>. ENTSO-E shall duly take into account the <i>result</i> of the consultation.</p>	<p>2. Before submitting the proposed methodology, ENTSO-E shall conduct a consultation involving at least the industry and consumers, producers or their trade bodies, transmission and distribution system operators, competent authorities, national regulatory authorities and other relevant national authorities. ENTSO-E shall duly take into account the results of the consultation and present them, together with the proposed methodology, to the Electricity Coordination Group for further consideration.</p>	<p><i>To be discussed</i></p>

<p>3. Within two months of receiving the proposed methodology, the Agency shall either approve the proposal or amend it. In the latter case, it shall consult ENTSO-E before adopting the amended version and publish it on its website.</p>		<p>3. Within two months of the receipt of [] the proposed methodology, the Agency shall either approve the proposal or amend it. In the latter case, it shall consult ENTSO-E, competent authorities, national regulatory authorities before adopting the amended version and shall duly take account of the results of the consultation. The final version of the methodology shall be published on the [] websites of the Agency and ENTSO-E.</p>	<p>Maintain Council GA</p>
<p>4. ENTSO-E shall update and improve the methodology regularly in accordance with paragraphs 1 to 3. The Agency or the Commission may request such updates and improvements with due justification. Within six months from the request, ENTSO-E shall submit to a draft of two months of receiving the draft, the Agency shall amend or approve the changes and publish it on its website.</p>	<p>AM 36</p> <p>4. ENTSO-E shall update and improve the methodology regularly in accordance with <i>paragraphs 1, 2 and 3</i>. The Agency or the Commission may request such updates and improvements with due justification. Within <i>a period of two</i> months from the request, ENTSO-E shall submit to the Agency a draft of the proposed changes. Within a period of two months of <i>receipt of</i> the draft, the Agency shall approve <i>or amend</i> the changes and publish it on its website.</p>	<p>4. ENTSO-E shall update and improve the methodology [] when significant new information becomes available in accordance with paragraphs 1 to 3. The Electricity Coordination Group may recommend and the Agency or the Commission may request such updates and improvements with due justification. Within six months from the receipt of the request, ENTSO-E shall submit to the Agency a draft of the proposed changes. Within [] two months of the receipt of [] the draft, the Agency shall [] approve or amend the proposed changes []. In the latter case, it shall consult ENTSO-E, national regulatory authorities before adopting the amended changes and it shall duly take into account of the results of the</p>	<p>Maintain Council GA</p>

		consultation. The final version shall be published on the website of the Agency and ENTSO-E.	
<i>Article 9</i> Short-term adequacy assessments			
<p>1. All short-term adequacy assessments shall be carried out according to the methodology developed pursuant to Article 8.</p> <p>2. ENTSO-E shall carry out seasonal adequacy outlooks according to the methodology developed pursuant to Article 8. It shall publish the results at the latest by 1 December each year for the winter outlook and by 1 June for the summer outlook. It may delegate tasks relating to the outlooks to regional operational centres. It shall present the outlooks to the Electricity Coordination Group, which may give recommendations on the results, where appropriate.</p> <p>3. The regional operational centres shall carry out week-ahead to intraday adequacy assessments for their respective regions on the basis of the methodology adopted pursuant to Article 8.</p>	<p>AM 37</p> <p>1. All short-term adequacy assessments, <i>whether carried out at national, regional or Union level</i>, shall be carried out according to the methodology developed pursuant to Article 8.</p>	<p>1. All short-term adequacy assessments, whether carried out at national, regional or union level, shall be carried out in [] accordance with the methodology developed pursuant to Article 8.</p> <p>2. ENTSO-E shall carry out seasonal adequacy outlooks according to the methodology developed pursuant to Article 8. It shall publish the results at the latest by 1 December each year for the winter outlook and by 1 June for the summer outlook. [] It shall present the outlooks to the Electricity Coordination Group, which may give recommendations on the results, where appropriate.</p> <p>3. The regional [] security coordinators shall carry out week-ahead to day ahead [] adequacy assessments as defined in System Operation Guidelines [] on the basis of the methodology adopted pursuant to Article 8.</p>	<p><i>Addressed in Council GA</i></p> <p><i>Maintain Council GA</i></p> <p><i>Maintain Council GA</i></p>

**CHAPTER III
RISK-PREPAREDNESS PLANS**

Article 10

Establishment of risk-preparedness plans

<p>1. On the basis of the regional and national electricity crisis scenarios identified pursuant to Articles 6 and 7, the competent authority of each Member State shall establish a risk-preparedness plan, after consulting the electricity and gas undertakings, the relevant organisations representing the interests of household and industrial electricity customers and the national regulatory authority (where it is not the competent authority).</p>	<p>AM 38</p> <p>1. On the basis of the regional and national electricity crisis scenarios identified pursuant to Articles 6 and 7, the competent authority of each Member State shall establish a risk-preparedness plan, after consulting the electricity and gas undertakings, <i>transmission system operators and distribution system operators</i>, the relevant organisations representing the interests of household and industrial electricity customers and the national regulatory authority (where it is not the competent authority). <i>The confidentiality of sensitive information relating to the prevention and mitigation of attacks shall be ensured. If a competent authority considers that certain sensitive information is not to be disclosed, it shall provide anon-confidential summary thereof.</i></p>	<p>1. On the basis of the regional and national electricity crisis scenarios identified pursuant to Articles 6 and 7, the competent authority of each Member State shall establish a risk-preparedness plan, after consulting relevant distribution system operators, transmission system operators, relevant producers or their trade bodies, the electricity and natural gas undertakings, the relevant organisations representing the interests of [] both industrial and non-industrial electricity customers and the national regulatory authority (where it is not the competent authority).</p>	<p><i>Addressed in Council GA (first part in para 1, confidentiality of information in para 7 and Article 17a)</i></p>
<p>2. The plan shall consist of national measures and regional measures as defined in Articles 11 and 12. Without prejudice to Article 15, all measures planned or taken to prevent, prepare for and mitigate electricity crisis situations shall fully comply with the rules governing the internal</p>			<p><i>No changes</i></p>

<p>electricity market and system operation. They shall be clearly defined, transparent, proportionate and non-discriminatory.</p> <p>3. The plan shall be developed in accordance with the template in the Annex. The Commission shall be empowered to adopt delegated acts in accordance with Article 19 to amend this template.</p>		<p>3. The plan shall be developed in accordance with the <input type="checkbox"/> content and the structure of Article 11 and 12. The Commission <input type="checkbox"/> may issue a non-binding guideline regarding formats for such plans.</p>	<p><i>Maintain Council GA</i></p>
<p>4. Before adopting a plan, the competent authority shall submit a draft to the competent authorities of the other Member States in the region concerned and the Electricity Coordination Group for consultation.</p>		<p>4. In order to ensure consistency of the risk-preparedness plans, before adopting a plan, the competent authority shall submit a draft to the competent authorities of the <input type="checkbox"/> <input type="checkbox"/> relevant Member States in the region, <input type="checkbox"/> and the directly connected Member States when they are not in the same region, as well as to the Electricity Coordination Group for consultation.</p>	<p><i>Maintain Council GA</i></p>
<p>5. Within three months of the submission of the draft plan, the competent authorities of the other Member States in the region and the Electricity Coordination Group shall review it and may issue recommendations.</p>		<p>5. Within <input type="checkbox"/> six months after receiving <input type="checkbox"/> the draft plan, the competent authorities of the <input type="checkbox"/> Member States in the region, the directly connected Member States and the Electricity Coordination Group <input type="checkbox"/> may issue recommendations.</p>	<p><i>Maintain Council GA</i></p>
<p>6. Within six months of submitting the draft plan, the Member State in question shall adopt the plan, duly taking into account the results of the</p>		<p>6. Within <input type="checkbox"/> nine months of submitting the draft plan, the competent authority of the Member State concerned <input type="checkbox"/> shall adopt the</p>	<p><i>Maintain Council GA</i></p>

<p>consultation and the recommendations of the competent authorities of other Member States and the Electricity Coordination Group. It shall submit the adopted plan to the Electricity Coordination Group without delay.</p>		<p>plan, duly taking into account the results of the consultation and the recommendations of the competent authorities of other Member States and the Electricity Coordination Group. It shall [] notify the adopted plan to the [] Commission without delay.</p>	
<p>7. The Member States shall make the plans public, while ensuring that the confidentiality of sensitive information is preserved, notably information on measures relating to the prevention and mitigation of malicious attacks.</p>	<p>AM 39 <i>deleted</i></p>	<p>7. The competent authorities of the Member States and the Commission shall publish [] the plans on their websites [], while ensuring that the confidentiality of sensitive information is preserved, notably information on measures relating to the prevention and mitigation of consequences of malicious attacks. The protection of the confidentiality of sensitive information shall be based on the principles determined pursuant to Article 17a.</p>	<p><i>Maintain Council GA</i></p>
<p>8. Member States shall adopt and publish the first plan by [OPOCE to insert exact date: two years after entry into force of this Regulation] at the latest. They shall update them every three years, unless circumstances warrant more frequent updates.</p>		<p>8. The competent authorities of the Member States shall adopt and publish the first plan by [OPOCE to insert exact date: two and a half years after entry into force of this Regulation] at the latest. They shall update them every [] four years, unless circumstances warrant more frequent updates.</p>	<p><i>Maintain Council GA</i></p>

Article 11

Content of risk-preparedness plans as regards national measures

<p>1. Each plan shall set out all measures planned or taken to prevent, prepare for and mitigate electricity crisis situations as identified pursuant to Articles 6 and 7. It shall at least:</p>			<p>No changes</p>
<p>(a) contain a summary of the electricity crisis scenario's defined for the relevant Member States and region, in accordance with the procedure in Articles 6 and 7;</p>		<p>(a) contain a summary of the electricity crisis scenario's defined for the relevant Member States and region, in accordance with the procedure set out in Articles 6 and 7;</p>	<p>Maintain Council GA</p>
<p>(b) establish the role and responsibilities of the competent authority;</p>		<p>(b) establish the role and responsibilities of the competent authority and describe which tasks, if any, have been delegated to other bodies;</p>	<p>Maintain Council GA</p>
<p>(c) describe the measures designed to prepare for and to prevent the risks identified pursuant to Articles 6 and 7;</p>			<p>No changes</p>
<p>(d) designate a national crisis manager or team and establish its tasks;</p>		<p>(d) designate a national crisis [] coordinator or team and establish its tasks;</p>	<p>Maintain Council GA</p>
<p>(e) establish detailed procedures to be followed in electricity crisis situations, including the corresponding schemes on information flows;</p>			<p>No changes</p>
<p>(f) identify the contribution of market-based measures in coping with electricity crisis situations;</p>		<p>(f) identify the contribution of market-based measures, notably demand-side and supply-side measures, in coping with electricity crisis situations;</p>	<p>Maintain Council GA</p>

<p>(g) identify possible non-market measures to be implemented in electricity crisis situations, specifying the trigger, conditions and procedures for their implementation, and indicating how they comply with the requirements set out in Article 15;</p>	<p>AM 40</p> <p>(g) identify possible non-market measures to be implemented in electricity crisis situations, specifying the trigger, conditions and procedures for their <i>deployment (including any compensation schemes), assessing the degree to which the use of such measures is necessary in dealing with a crisis</i> and indicating how they comply with the requirements set out in Article 15;</p>	<p>(g) identify possible non-market measures to be implemented in electricity crisis situations, specifying the triggers, conditions and procedures for their implementation, and indicating how they comply with the requirements set out in Article 15 and with regionally coordinated measures;</p>	<p><i>Maintain Council GA (see compensation in Art. 14)</i></p>
<p>(h) provide a detailed load shedding plan, stipulating when loads are to be shed, in what circumstances and what values of load are to be shed. The plan shall specify which categories of electricity users are to receive special protection against disconnection, and justify the need for such protection, notably with regard to public safety and personal security;</p>	<p>AM 41</p> <p>(h) provide a detailed load shedding plan, stipulating when loads are to be shed, in what circumstances and what values of load are to be shed. The plan shall specify which categories of electricity users are to receive special protection against disconnection, and justify the need for such protection, notably with regard to public safety, personal security <i>and the continuity of essential public services;</i></p>	<p>(h) provide a [] framework for manual load shedding []. stipulating [] under which circumstances loads are to be shed []. With regard to public safety and personal security the [] framework shall specify which categories of electricity users are, in accordance with national law, entitled to receive special protection against disconnection, and justify the need for such protection, [] and shall specify how the transmission and distribution system operators of the Member States concerned should act in order to decrease the consumption;</p>	<p><i>Maintain Council GA</i></p>
<p>(i) describe the mechanisms used to inform the public about any electricity crisis.</p>			<p><i>No changes</i></p>

	<p>AMI 42 <i>(ia) describe the national measures necessary to implement and enforce the regional measures agreed on in accordance with Article 12;</i></p>		<p><i>To be discussed</i></p>
	<p>AMI 43 <i>(ib) take into account the environmental impact of the measures established;</i></p>		<p><i>To be discussed</i></p>
		<p>(j) include information on related and necessary plans for developing the future grid that will help to cope with the consequences of identified crisis situations.</p>	<p><i>Maintain Council GA</i></p>
<p>2. All national measures shall take full account of the regional measures agreed according to Article 12 and not endanger the security of electricity supply of other Member States or of the Union as a whole.</p>		<p>2. All national measures shall take full account of the regional measures agreed in accordance with [] Article 12, shall not endanger the operational security or safety of the transmission system and shall not endanger the security of electricity supply of other Member States [].</p>	<p><i>Maintain Council GA</i></p>

Article 12

Content of risk-preparedness plans as regards regionally coordinated measures

Content of risk-preparedness plans as regards regionally coordinated cross-border measures

Maintain Council GA

1. In addition to the measures listed in Article 11, the plan of each Member State shall include regional measures to ensure that crisis situations with a cross-border impact are properly prevented and managed. These measures shall be agreed within the region concerned and include at least:

1. In addition to the measures listed in Article 11, the plan of each Member State shall include regional **and, when in place, bilateral** measures to ensure that crisis situations with a cross-border impact are properly prevented and managed. [] **Regional measures shall be agreed between Members States within the region concerned. Bilateral measures shall be agreed between Member States which are directly interconnected but not part of the same region. Regional and bilateral measures shall include at least:**

Maintain Council GA

(a) the designation of a regional crisis manager or team;

AM 44
(a) the designation of a regional crisis *co-ordinator* or team;

Addressed in Council GA

(b) mechanisms to share information and cooperate within a region;

(b) mechanisms to share information and cooperate [] ;

Maintain Council GA

(c) measures to mitigate the impact of a crisis including a simultaneous crisis situation. These shall include regional load-shedding plans and technical, legal and financial arrangements regarding mutual

AM 45
(c) measures to mitigate the impact of a crisis including a simultaneous crisis situation. These shall include regional load-shedding plans and technical, legal and financial arrangements regarding mutual

(c) **coordinated** measures to mitigate the impact of **an electricity** crisis, including a simultaneous crisis situation, **for the purpose of assistance as referred to in Article 14** [] ;

Maintain Council GA

<p>assistance to ensure that electricity can be delivered where it is most needed and in an optimal manner. Such arrangements shall set out, inter alia, the trigger for the assistance, the calculation formula or amount, paying and receiving parties and arbitration rules;</p>	<p>assistance to ensure that electricity can be delivered where it is most needed and in an optimal manner. Such arrangements shall set out, inter alia, the trigger for the assistance, the calculation formula or amount, paying and receiving parties and arbitration rules. <i>A mechanism of compensation for affected entities shall also be established in accordance with Article 7a;</i></p>		
<p>(d) procedures for carrying out annual tests of the plans.</p>		<p>(d) procedures for carrying out annual or biennial tests of the plans.</p>	<p>Maintain Council GA</p>
		<p>(e) the trigger mechanisms of non-market measures applied in line with Article 15.</p>	<p>Maintain Council GA</p>
<p>2. The regional measures to be included in the plan shall be agreed by the competent authorities of the Member States in the region concerned. At least eight months before the deadline for the adoption or the updating of the plan, the competent authorities shall report on the agreements reached to the Electricity Coordination Group. If the competent authorities concerned were not able to reach an agreement, they shall inform the Commission of the reasons for such disagreement. In such case the Commission may request the Agency</p>	<p>AM 46</p> <p>2. The regional measures to be included in the plan shall be agreed upon by the competent authorities of the Member States in the region concerned, <i>in consultation with the relevant regional coordination centres, and before their incorporation in the respective national plans. Member States may ask the Commission to exercise an overall facilitating role in the preparation of such an agreement. The Commission may also request the Agency and ENTSO-E to provide technical assistance to the Member</i></p>	<p>2. The regional and bilateral measures to be included in the plan shall be agreed by [] Member States [] concerned. The Commission may have a facilitating role in the preparation of the agreement on regional measures. The Commission may request the Agency and ENTSO-E to provide technical assistance to Member States with a view to facilitating an agreement. At least eight months before the deadline for the adoption or the updating of the plan, the competent authorities shall report on the agreements reached to the</p>	<p>Addressed in Council GA</p>

<p>to facilitate the conclusion of an agreement in consultation with ENTSO-E.</p>	<p><i>States concerned with a view to facilitating an agreement.</i> At least eight months before the deadline for the adoption or the updating of the plan, the competent authorities shall report to Electricity Coordination Group <i>on the agreements reached, and on any form of macro-regional cooperation, in accordance with Regulation (EU) ... [proposed Governance of the Energy Union Regulation]</i>. If the competent authorities concerned were not able to reach an agreement, they shall inform the Commission of the reasons for such disagreement. In <i>such a case</i> the Commission <i>shall propose a cooperation mechanism for the conclusion of an agreement on regional measures.</i></p>	<p>Electricity Coordination Group. If <input type="checkbox"/> any Member States are not able to reach an agreement, the <input type="checkbox"/> competent authorities concerned shall inform the Commission of the reasons for such disagreement. In such a case the Commission <input type="checkbox"/> shall propose measures including a cooperation mechanism for the conclusion of an agreement <input type="checkbox"/> on cross-border measures.</p>	
<p>3. In cooperation with the regional operational centres and with the involvement of relevant stakeholders, the competent authorities of each region shall carry out annual <i>real time response</i> simulations <i>of electricity crisis situations</i>, in particular testing the communication mechanisms referred to in point (b) of paragraph 1.</p>	<p>3. <input type="checkbox"/> In cooperation with the regional operational centres and with the involvement of relevant stakeholders, the competent authorities of each region shall carry out annual <i>real time response</i> simulations <i>of electricity crisis situations</i>, in particular testing the communication mechanisms referred to in point (b) of paragraph 1.</p>	<p>3. <input type="checkbox"/> With <input type="checkbox"/> the involvement of relevant stakeholders, the competent authorities of each region shall test periodically the effectiveness of the procedures developed in risk preparedness plans for preventing electricity crisis situations, including communication mechanisms and carry out <input type="checkbox"/> biennial crisis simulations, in particular testing the communication mechanisms referred to in point (b) of paragraph 1.</p>	<p>Maintain Council GA</p>

	<p>AM 48</p> <p><i>Article 12a</i></p> <p>Commission role in amending the risk preparedness plans</p>		<p><i>Maintain Council GA / Reject</i></p>
	<p>1. Member States shall submit the adopted plans to the Commission. The Commission may take a decision requiring the measure to be amended or withdrawn where it is:</p>		<p><i>Maintain Council GA / Reject</i></p>
	<p>(a) likely to distort the Union internal market;</p>		<p><i>Maintain Council GA / Reject</i></p>
	<p>(b) not necessary or proportionate to ensure security of supply;</p>		<p><i>Maintain Council GA / Reject</i></p>
	<p>(c) likely to jeopardise the security of supply of other Member States; or</p>		<p><i>Maintain Council GA / Reject</i></p>
	<p>(d) be in the contradiction with the Union's climate policy objectives.</p>		<p><i>Maintain Council GA / Reject</i></p>
	<p>The adopted measure shall enter into force only when it is approved by the Commission or has been amended in accordance with a Commission decision.</p>		<p><i>Maintain Council GA / Reject</i></p>

**CHAPTER IV
MANAGING ELECTRICITY CRISIS SITUATIONS**

Article 13

Early warning and declaration of crisis

<p>1. Where a seasonal adequacy outlook or other source provides a specific, serious and reliable information that an event may occur that is likely to result in a significant deterioration of the electricity supply situation in a Member State, the competent authority of that Member State shall without undue delay give an early warning to the Commission and the Electricity Coordination Group. It shall provide information on the causes of the deterioration, on measures taken or planned to prevent an electricity crisis and on the possible need for assistance from other Member States. The information shall include the possible impacts of the measures on the internal electricity market, including in other Member States.</p>	<p>1. Where a seasonal adequacy outlook or other qualified source provides a specific, [] and reliable information that an electricity crisis may occur [] in a Member State, in such case the competent authority of that Member State shall without undue delay give an early warning to the Commission, [] to the competent authorities of the Member States within the same region and directly connected Member States. The Commission shall notify this information to the Electricity Coordination Group. It shall provide information on the causes [] of the possible electricity crisis, on measures taken or planned to prevent an electricity crisis and on the possible need for assistance from other Member States. The information shall include the possible impacts of the measures on the internal electricity market [].</p>	<p style="text-align: right;"><i>Maintain Council GA</i></p>
<p>2. When confronted with an electricity crisis situation, the competent authority of the Member State in question shall declare the electricity crisis and inform the competent authorities of the neighbouring Member States and the</p>	<p>2. When confronted with an electricity crisis situation, the competent authority of the Member State [] in coordination with the transmission system operator concerned [] shall declare the electricity crisis and inform the</p>	<p style="text-align: right;"><i>Maintain Council GA</i></p>

<p>Commission without undue delay. It shall inform them of the reasons for declaring an electricity crisis, measures taken and planned to mitigate it and the possible need for assistance from other Member States.</p>		<p>competent authorities within the same region and of the neighbouring Member States and the Commission without undue delay. It shall inform them of the causes of the deterioration and reasons for declaring an electricity crisis, measures taken and planned to mitigate it and the possible need for assistance from other Member States.</p>	
<p>3. In cases where the information provided is deemed insufficient, the Commission may request the Member State concerned to provide additional information.</p>		<p>3. In cases where the information provided is deemed insufficient, the Commission, the Electricity Coordination Group or the Member States concerned may request the Member State concerned to provide additional information.</p>	<p><i>Maintain Council GA</i></p>
<p>4. Where a competent authority issues an early warning or declares an electricity crisis, the actions set out in the risk-preparedness plan shall be followed to the fullest possible extent.</p>		<p>4. Where a competent authority of the Member State concerned issues an early warning or declares an electricity crisis, the actions set out in the risk-preparedness plan shall be followed to the fullest possible extent.</p>	<p><i>Maintain Council GA</i></p>

Article 14

Cooperation and assistance

<p>1. Member States shall act and cooperate in a spirit of solidarity in order to prevent and manage electricity crisis situations, with a view to ensuring that electricity is delivered where it is most needed with a view to protecting public safety and personal security.</p>		<p>1. Member States shall act and cooperate in a spirit of solidarity in order to prevent and manage electricity crisis situations [].</p>	<p>Maintain Council GA</p>
<p>2. Where necessary and possible Member States shall offer each other assistance to prevent or mitigate an electricity crisis. Such assistance shall be subject to compensation.</p>	<p>AM 49</p> <p>2. Where <i>requested and technically feasible</i>, Member States shall <i>assist</i> each other <i>so as</i> to prevent or mitigate an electricity crisis. Such assistance shall be subject to compensation <i>covering at least the cost of electricity delivered into the territory of the Member State requesting assistance and all other relevant costs incurred when providing assistance, including, if appropriate, assistance prepared without effective activation, and the reimbursement of any compensation resulting from judicial, arbitration or similar proceedings and settlements and related costs of the provided assistance.</i></p>	<p>2. In addition, where [] technically possible, Member States shall offer each other assistance [] by means of coordinated measures agreed pursuant to this Article and Article 12 before assistance is provided. To this effect, and with the perspective of protecting public safety and personal security, Member States shall agree on coordinated measures of their choice in order to deliver electricity in a coordinated manner.</p>	<p>Maintain Council GA (addressed in GA below)</p>
		<p>2a. Member States shall agree on the necessary technical, legal and financial arrangements for the implementation of the coordinated measures before assistance is offered. Such arrangements shall set</p>	<p>Maintain Council GA</p>

		<p>out, <i>inter alia</i>, the maximum quantities of electricity to be delivered at regional or bilateral level, the trigger for the assistance and possibility to request its suspension, how the electricity will be delivered, and the provisions on fair compensation between Member States in accordance with paragraphs 2b, 2c and 3.</p>	
		<p>2b. Assistance shall be subject to fair compensation agreed between Member States before assistance is offered. This compensation shall cover at least:</p> <p>(a) the electricity delivered into the territory of the Member State requesting assistance as well as the associated transmission costs; and</p>	<p><i>Maintain Council GA</i></p>
		<p>(b) reasonable compensation costs incurred by the Member State providing assistance, including as regards reimbursement for any compensation resulting from judicial proceedings, arbitration proceedings or similar proceedings and settlements.</p>	<p><i>Maintain Council GA</i></p>
		<p>2c. Fair compensation pursuant to paragraph 2b shall include, <i>inter alia</i>, all reasonable costs that the Member State providing assistance incurs from an obligation to pay</p>	<p><i>Maintain Council GA</i></p>

		<p>compensation by virtue of fundamental rights guaranteed by Union law and by virtue of the applicable international obligations when implementing the provisions of this Regulation on assistance and further reasonable costs incurred from payment of compensation pursuant to national compensation rules.</p>	
		<p>3. The Member State requesting assistance shall promptly pay, or ensure prompt payment of fair compensation to the Member State providing assistance.</p>	<p><i>Maintain Council GA</i></p>
		<p>4. The Commission shall by [OPOCE to insert exact date: six months after entry into force of this Regulation] and after consulting the Electricity Coordination Group provide for legally non-binding guidance for the key elements of the fair compensation referred to in paragraphs 2a to 3 and other key elements of the technical, legal and financial arrangements referred to in paragraph 2a.</p>	<p><i>Maintain Council GA</i></p>
		<p>4a. In the event of an electricity crisis where Member States have not yet agreed on coordinated measures and technical, legal and financial arrangements pursuant to this Article, Member States shall agree on ad hoc measures and</p>	<p><i>Maintain Council GA</i></p>

		arrangements in order to apply this Article, including as regards fair compensation pursuant to paragraphs 2b, 2c and 3.	
		4b. Member States shall ensure that the provisions of this Regulation on assistance are implemented in conformity with the Treaties, the Charter of Fundamental Rights of the European Union, as well as the applicable international obligations. They shall take the necessary measures to that effect.	Maintain Council GA
Article 15 Observance of market rules			
1. Measures taken to prevent or mitigate electricity crisis situations shall comply with the rules governing the internal electricity market and system operation.			No changes
2. Non-market measures may be activated in a crisis situation and only if all options provided by the market have been exhausted. They shall not unduly distort competition and the effective functioning of the electricity market. They shall be necessary, proportionate, non-discriminatory and temporary.	AM 50 2. Non-market measures <i>shall</i> be activated in a crisis situation <i>only as a last resort</i> , and only <i>after</i> all options provided by the market have been exhausted, <i>and when there's ample evidence that the continuation of market activities could lead to the further deterioration of a crisis situation. Those measures</i> shall not unduly distort competition and the effective functioning of the electricity market. They shall be, proportionate,	2. Non-market measures [] shall be activated in a crisis situation [] only as a last resort if all options provided by the market have been exhausted or when market measures alone are not sufficient to prevent a further deterioration. They shall not unduly distort competition and the effective functioning of the electricity market. They shall be necessary, proportionate, non-discriminatory and temporary.	Maintain Council GA

	<p>non-discriminatory and temporary. <i>All relevant stakeholders shall be immediately informed of any application of non-market measures.</i></p>		
<p>3. Transaction curtailment including curtailment of already allocated cross-zonal capacity, limitation of provision of cross-zonal capacity for capacity allocation or limitation of provision of schedules shall only be initiated in compliance with the rules laid down in Article 14(2) of Electricity Regulation [proposed Electricity Regulation] and the rules adopted to specify this provision.</p>	<p>AM 51</p> <p>3. Transaction curtailment including curtailment of already allocated cross-zonal capacity, limitation of provision of cross-zonal capacity for capacity allocation or limitation of provision of schedules shall only be initiated in compliance with the rules laid down in Article 14(2) of Electricity Regulation [proposed Electricity Regulation], Article 72 of Commission Regulation (EU) 2015/1222^{1a} and the rules adopted to specify this provision.</p>	<p>3. Transaction curtailment including curtailment of already allocated cross-zonal capacity, limitation of provision of cross-zonal capacity for capacity allocation or limitation of provision of schedules shall only be initiated in compliance with the rules laid down in [] System operation guideline and Network code on electricity emergency and restoration, adopted on the basis of Articles 18 and 6 of the Regulation 714/2009 respectively.</p>	<p><i>Accept in part</i></p> <p>3. Transaction curtailment including curtailment of already allocated cross-zonal capacity, limitation of provision of cross-zonal capacity for capacity allocation or limitation of provision of schedules shall only be initiated in compliance with the rules laid down in Article 14(2) of Electricity Regulation [proposed Electricity Regulation], System operation guideline and Network code on electricity emergency and restoration, adopted on the basis of Articles 18 and 6 of the Regulation 714/2009 respectively.</p>

^{1a} **Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a guideline on capacity allocation and congestion management (OJ L 197, 25.7.2015, p. 24).**

**CHAPTER V
EVALUATION AND MONITORING**

Article 16

Ex-post evaluation

<p>1. As soon as possible and no later than six weeks after declaring an electricity crisis situation, the competent authorities concerned, in consultation with their national regulatory authority (where it is not the competent authority) shall provide the Electricity Coordination Group and the Commission with an evaluation report.</p>	<p>AM 52</p> <p>1. As soon as possible and no later than six weeks after <i>the</i> electricity crisis situation <i>has ended</i>, the competent authorities concerned, in consultation with their national regulatory authority (where it is not the competent authority) shall provide the Electricity Coordination Group and the Commission with <i>a detailed</i> evaluation report.</p>	<p>1. As soon as possible and no later than [] three months after lifting or no later than six months after declaring an electricity crisis situation, the competent authority or competent authorities concerned, in consultation with their national regulatory authority (where it is not the competent authority) shall provide the Electricity Coordination Group and the Commission with an evaluation report.</p>	<p><i>Maintain Council GA</i></p>
<p>2. The report shall include at least:</p> <p>(a) a description of the event that triggered the crisis;</p>		<p>2. The report shall include at least:</p> <p>(a) a description of the event that triggered the crisis declared or the reason why a Member State was affected by the crisis;</p>	<p><i>No changes</i> <i>Maintain Council GA</i></p>
<p>(b) a description of preventive, preparatory and mitigating measures taken and an assessment of their proportionality and effectiveness;</p>		<p>(b) a description of preventive, preparatory and mitigating measures taken, if any, and an assessment of their proportionality and effectiveness;</p>	<p><i>Accept in part AM 55 (see below)</i> (b) a description of preventive, preparatory and mitigating measures taken, if any, and an assessment of their proportionality and effectiveness, including a justification of the application of non-market measures;</p>
<p>(c) an assessment of the cross-border impact of the measures taken;</p>			<p><i>No changes</i></p>
<p>(d) an account of the assistance</p>	<p>AM 53 (d) an account of the assistance</p>		<p><i>To be discussed</i></p>

<p>provided to or received from neighbouring Member States and non-EU countries;</p>	<p><i>prepared (with or without effective activation),</i> provided to or received from neighbouring Member States and non-EU countries;</p> <p>AM 54</p>		
<p>(e) the economic impact of the electricity crisis and the impact of the measures taken on the electricity sector, in particular the volumes of energy non-served and the level of manual demand disconnection (including a comparison between the level of voluntary and forced demand disconnection);</p>	<p>(e) the economic impact of the electricity crisis and the impact of the measures taken on the electricity sector, in particular the volumes of energy non-served, <i>the curtailment of available or allocated cross-zonal capacities</i>, the level of manual demand disconnection (including a comparison between the level of voluntary and forced demand disconnection), <i>and the measures imposed on stakeholders such as power generators, suppliers and other relevant market participants;</i></p>	<p>(e) to the extent possible the economic impact of the electricity crisis and the impact of the measures taken on the electricity sector, in particular the volumes of energy non-served and the level of manual demand disconnection (including a comparison between the level of voluntary and forced demand disconnection);</p> <p><i>(Note: The grey shaded underline is an editing mistake in the GA and should only be bold)</i></p>	<p><i>To be discussed</i></p>
	<p>AM 55</p> <p><i>(e a) a thorough justification of the application of non-market measures;</i></p>		<p><i>Accept in part in para 2(b) (see above)</i></p>
<p>(f) any possible improvements or proposed improvements to the risk-preparedness plan.</p>	<p>AM 56</p> <p><i>(f a) an overview of how the future grid should be designed in order to cope with the consequences resulting from identified electricity crisis situations, and describing the structural weaknesses of the system, in compliance with the principles laid down in Directive (EU) ... [on</i></p>		<p><i>No changes</i></p>
			<p><i>Maintain Council GA / Reject (addressed in (g) below)</i></p>

	<p><i>Common Rules for the Internal Market in Electricity, COM(2016)864] and establishing periodic network development plans [text to be aligned with the relevant provisions in the Market Design directive proposal].</i></p>		
		<p>(g) possible improvement of grid development in cases where insufficient network development caused or contributed to the crisis.</p>	<p>Maintain Council GA</p>
<p>3. In cases where the information provided in the report is deemed insufficient the Electricity Coordination Group and the Commission may request the Member State concerned to provide additional information.</p>		<p>3. In cases where the information provided in the report is deemed insufficient the Electricity Coordination Group and the Commission may request the [] competent authority concerned to provide additional information.</p>	<p>Maintain Council GA</p>
<p>4. The competent authorities concerned shall present the results of the evaluation to the Electricity Coordination Group.</p>	<p>AM 57 4. The competent authorities concerned shall present the results of the evaluation to the Electricity Coordination Group. <i>Those results shall be reflected in the updates of the risk-preparedness plans.</i></p>		<p>Accept 4. The competent authorities concerned shall present the results of the evaluation to the Electricity Coordination Group. <u>Those results shall be reflected in the updates of the risk-preparedness plans.</u></p>

<i>Article 17</i>		
Monitoring by the Electricity Coordination Group	Monitoring []	<i>Maintain Council GA</i>
<p>1. In addition to carrying out other specific tasks as set out in this Regulation, the Electricity Coordination Group shall discuss and review:</p> <p>(a) the results of the 10-year network development plan in electricity prepared by ENTSO-E;</p> <p>(b) the coherence of the risk-preparedness plans, adopted by the Member States following the procedure referred to in Article 10;</p> <p>(c) the results of the European resource adequacy assessments prepared by ENTSO-E as referred to in Article 19 (3) of the Electricity Regulation [proposed Electricity Regulation];</p> <p>(d) the performance of Member States in the area of security of supply taking into account at least the indicators calculated in the European resource adequacy assessment, namely the expected energy non served (EENS) and loss of load expectation (LOLE);</p> <p>(e) the results of seasonal outlooks referred to in Article 9;</p> <p>(f) the information received from the Member States according to Article 7 (3);</p>	<p>1. In addition to carrying out other specific tasks as set out in this Regulation, the Electricity Coordination Group shall discuss []:</p>	<p><i>Maintain Council GA</i></p>
		<i>No changes</i>
	(f) the information received from the Member States [] in accordance with Article 7 (3);	<i>Maintain Council GA</i>

(g) the results of ex-post evaluation reports, as referred to in Article 16.		(h) the methodology for short term adequacy assessment, as referred to in Article 8.	No changes
		(i) the methodology for identifying electricity crisis scenarios at a regional level as referred to in Article 5.	Maintain Council GA
2. The Electricity Coordination Group may issue recommendations to the Member States related to the matters referred to in paragraph 1, which the Member States concerned shall take into utmost account.		2. The Electricity Coordination Group may issue recommendations to the Member States as well as to ENTSO-E related to the matters referred to in paragraph 1 [].	Maintain Council GA
		3. The Agency shall carry out continuous monitoring of the security of electricity supply measures and report regularly to the Electricity Coordination Group.	Maintain Council GA
		4. The Commission, on the basis of the experience made under this Regulation shall, by 1 September 2025, draw conclusions as to possible means to enhance security of electricity supply at Union level and submit a report to the European Parliament and to the Council on the application of this Regulation, including, where necessary, legislative proposals to amend this Regulation.	Maintain Council GA

			<i>Maintain Council GA</i>
		<p>Article 17a Treatment of confidential information</p> <p>1. Any procedures involving Member States or their authorities as referred to in this Regulation shall be implemented by them in line with the applicable rules, including national rules related to the handling of confidential information and processes. If this leads to a situation that information cannot be disclosed to the Member State or authority in question shall provide, if possible, a non-confidential summary thereof upon request.</p> <p>2. Commission, the Agency, the Electricity Coordination Group, and ENTSO-E shall ensure that the confidentiality of sensitive information is preserved.</p>	<i>Maintain Council GA</i>

**CHAPTER VI
FINAL PROVISIONS**

Article 18

Cooperation with the Energy Community Contracting Parties

<p>Member States and the Energy Community Contracting Parties are invited to closely cooperate in the process of the identification of electricity crisis scenarios and the establishment of risk-preparedness plans so that no measures are taken that endanger the security of supply of Member States, Contracting Parties or the Union. In this respect, Energy Community Contracting Parties may participate in the Electricity Coordination Group upon invitation by the Commission with regard to all matters by which they are concerned.</p>	<p>Where the Member States and the Energy Community Contracting Parties [] cooperate in the area of security of electricity supply, such cooperation may include defining a crisis situation, the process of the identification of electricity crisis scenarios and the establishment of risk-preparedness plans so that no measures are taken that endanger the security of supply of Member States, Contracting Parties or the Union. In this respect, Energy Community Contracting Parties may participate in the Electricity Coordination Group upon invitation by the Commission with regard to all matters by which they are concerned.</p>	<p><i>Maintain Council GA</i></p>
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			<i>Maintain Council GA</i>
		<p>Article 18a Derogation</p> <p>For as long as Cyprus is not directly interconnected with another Member State, Articles 6, 12 and 14(2) to (4b) shall not apply between Cyprus and other Member States nor to ENTSO-E as regards Cyprus. Cyprus and relevant other Member States may develop, with the support of the Commission, alternative measures and procedures to those provided for in Articles 6, 12 and 14(2) to (4b) to the extent that such alternative measures and procedures do not affect the effective application of this Regulation between the other Member States.</p>	<i>Maintain Council GA</i>

<i>Article 19</i>		
Exercise of delegation	[]	<i>Maintain Council GA</i>
1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	[]	<i>Maintain Council GA</i>
2. The power to adopt delegated acts as referred to in Article 10(3) shall be conferred on the Commission for an indeterminate period of time from [OPOCE to insert the date of entry into force of this Regulation].	[]	<i>Maintain Council GA</i>
3. The delegation of power referred to in Article 10(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	[]	<i>Maintain Council GA</i>
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 .	[]	<i>Maintain Council GA</i>

<p>5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</p>	<p>AM 58</p> <p>5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament, the Council and the Official Journal of the European Union.</p>	<p>[]</p>	<p><i>Maintain Council GA</i></p>
<p>6. A delegated act adopted pursuant to Article 10(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament or the Council or if, before the expiry of that period, the European Parliament or the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.</p>	<p>[]</p>	<p>[]</p>	<p><i>Maintain Council GA</i></p>

<i>Article 20</i> Repeal		
Directive 2005/89/EC is repealed.		<i>No changes</i>
<i>Article 21</i> Entry into force		
<p>This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> <p>This Regulation shall be binding in its entirety and directly applicable in all Member States.</p> <p>Done at Brussels,</p> <p>For the European Parliament For the Council</p> <p>The President The President</p>		<i>No changes</i>

ANNEX				
Template for risk-preparedness plan				
The following templates shall be completed in English.				Maintain Council GA
GENERAL INFORMATION			[]	Maintain Council GA
– Name of the Competent Authority responsible for the preparation of this Plan			[]	Maintain Council GA
– Member States in the region			[]	Maintain Council GA
1. SUMMARY OF THE ELECTRICITY CRISIS SCENARIOS			[]	Maintain Council GA
Describe briefly the risk scenarios identified at regional and national level in accordance with Article 6 and 7, including the description of the assumptions applied.			[]	Maintain Council GA
2. ROLES AND RESPONSIBILITIES OF THE COMPETENT AUTHORITY			[]	Maintain Council GA
Define the role and responsibilities of the Competent Authorities and the bodies to which tasks have been delegated			[]	Maintain Council GA
3. PROCEDURES AND MEASURES IN THE ELECTRICITY CRISIS			[]	Maintain Council GA
3.1. National procedures and measures			[]	Maintain Council GA
(a) Describe procedures to be followed in the cases of an electricity crisis, including the corresponding schemes on information flows;			[]	Maintain Council GA

<p>(b) Describe preventive and preparatory measures;</p>	<p>[]</p>	<p>[]</p>	<p>Maintain Council GA</p>
<p>(c) Describe measures to mitigate electricity crisis situations, notably demand-side and supply-side measures, whilst indicating in which circumstances these measures can be used especially the trigger of each measure. Where non-market measures are considered, they must be duly justified in light of the requirements set forth in Article 15;</p>	<p>AM 59 (c) Describe measures to mitigate electricity crisis situations, notably demand-side, <i>network-side</i> and supply-side measures, whilst indicating in which circumstances these measures can be used especially the trigger of each measure. Where non-market measures are considered, they must be duly justified in light of the requirements set forth in Article 15;</p>	<p>[]</p>	<p>Maintain Council GA</p>
<p>(d) Provide a detailed load shedding plan, including when loads shall be shed, in what circumstances, values of load to be shed and to whom. Specify which categories of electricity users should receive special protection against disconnection, and explain why their protection is necessary in order to protect personal safety;</p>	<p>[]</p>	<p>[]</p>	<p>Maintain Council GA</p>
<p>(e) Describe the mechanisms used to inform the public about the electricity crisis.</p>	<p>[]</p>	<p>[]</p>	<p>Maintain Council GA</p>
<p></p>	<p>AM 60 (ea) Describe the national measures necessary to implement and enforce the regional measures agreed on in accordance with Article 12.</p>	<p>[]</p>	<p>Maintain Council GA</p>

<p>3.2. Regional procedures and measures</p> <p>(a) Describe the agreed mechanisms to cooperate within the region and to ensure appropriate coordination before and during the electricity crisis, including the decision-making procedures for appropriate reaction at regional level;</p>			<p>Maintain Council GA</p> <p>Maintain Council GA</p>
<p>(b) Describe agreed measures to be used in simultaneous crisis situations, including the prioritisation of customers and regional load-shedding plans as well as financial arrangements for assistance in order to prevent or mitigate an electricity crisis. When describing such arrangements include elements such as a definition of a trigger of the assistance, calculation formula or amount, paying and receiving parties and the rules for arbitration. Specify when and how the regional load shedding plans shall be triggered;</p>	<p>AM 61</p> <p>(b) Describe agreed measures to be used in simultaneous <i>crises</i>, including the prioritisation of customers and regional load-shedding plans as well as financial arrangements for assistance in order to prevent or mitigate an electricity crisis. When describing such arrangements include elements such as a definition of a trigger of the assistance, calculation formula or amount, paying and receiving parties and the rules for arbitration. Specify when and how the regional load shedding plans shall be triggered;</p>		<p>Maintain Council GA</p>
<p>(c) Describe the mechanisms in place to cooperate and to coordinate actions before and during the electricity crisis with other Member States outside of the region as well as with third countries within the relevant synchronous area.</p>			<p>Maintain Council GA</p>
<p>4. CRISIS MANAGER OR TEAM</p> <p>Indicate who the crisis manager or team is and define its role. Specify the contact details.</p>			<p>Maintain Council GA</p> <p>Maintain Council GA</p>

<p>5. STAKEHOLDER CONSULTATIONS</p> <p>In accordance with Article 10(1), please describe the mechanism used for and the results of the consultations carried out, for the development of this Plan, with:</p>		<p>[]</p>	<p><i>Maintain Council GA</i></p>
<p>(a) electricity and gas undertakings;</p>		<p>[]</p>	<p><i>Maintain Council GA</i></p>
<p>(b) relevant organisations representing the interests of households;</p>		<p>[]</p>	<p><i>Maintain Council GA</i></p>
<p>(c) relevant organisations representing the interests of industrial electricity customers, including gas undertakings;</p>		<p>[]</p>	<p><i>Maintain Council GA</i></p>
<p>(d) national regulatory authorities.</p>	<p>AM 62 <i>(d a) transmission and distribution system operators.</i></p>	<p>[]</p>	<p><i>Maintain Council GA</i></p>
<p>6. EMERGENCY TESTS</p> <p>(a) Indicate the calendar for the yearly regional (if applicable also national) real time response simulations of electricity crisis situations;</p>		<p>[]</p>	<p><i>Maintain Council GA</i></p>
<p>(b) In accordance with Article 12(1) d) indicate procedures agreed and the actors involved.</p>		<p>[]</p>	<p><i>Maintain Council GA</i></p>
<p>For the updates of the Plan: describe briefly the tests carried out since the last Plan was adopted and the main results. Indicate which measures have been adopted as a result of these tests.</p>		<p>[]</p>	<p><i>Maintain Council GA</i></p>