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From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	15151/16 + ADD 1
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 - Preparation of third trilogue

Delegations find in Annex an updated four-column table, reflecting the progress made at the second informal trilogue meeting and including new compromise proposals. At the meeting of the Working Party on Energy (EWP) on 8 November, delegations will be invited to indicate their opinion on the Presidency compromise suggestions in the fourth column, in order to prepare the Coreper meeting scheduled for 16 November. Delegations are invited to send written comments, by 9 November the latest.

The Presidency would like to discuss with delegations in particular the following issues:

- 1) Content of the template for risk-preparedness plans (Art. 10(3) and Annex): If the template for risk preparedness-plans is re-introduced (conditional on that no delegated powers are given to COM and that a flexibility to add also country-specific elements to risk-preparedness plans is introduced), could MS agree to the PSY proposal concerning the content/structure of the template? New elements compared to the COM proposal reflect in particular the current text in Articles 11 and 12.
- 2) Approval of methodologies as of Article 5 and 8: At the 2nd trilogue the EP firmly rejected the PSY's recent proposals to remove the approval by ACER for the respective methodologies and insisted to revert to the structure of the COM proposal/General Approach. The PSY therefore suggests to revert to the GA structure, while including a thorough consultation of the ECG.
- 3) Involvement of Regional Coordination Centres (RCC): The EP insists on consulting RCCs also in Art. 5(4), 8(2), 12(2) and 12(3), could MS agree to this?
Please note that based on the provisional agreement found in the negotiations on the EMD Regulation the term RCC was introduced throughout the text, while put in square brackets to reflect the outstanding final political agreement on the EMD Regulation.
- 4) Commission role in assessing the risk-preparedness plans as of new Art. 12a: The EP welcomed the Council proposal for the new Art. 12a, but asked for more stringent elements of this assessment. Could delegations agree to the new PSY wording as of paragraph 4 in new Art. 12a?
- 5) Timelines of procedural steps: In line with the revised Coreper mandate from 17 October, at the 2nd trilogue the PSY defended the General Approach regarding all timelines. However, as the EP keeps insisting on shorter timelines, could MS agree to a minimal shortening of the separate timelines in Art. 3(1), Art. 5(1), Art. 6(1) and Art. 8(1) and a shortening of the total duration in Art. 10(8) by three months as well as to a shortening of the timeline in Art. 16(1)?

For the EWP on 12 November, delegations are informed already at this stage that a working paper containing further proposals for the Recitals will be circulated to Member States.

FOURTH COLUMN *explanations*

The fourth column contains Presidency compromise suggestions.

In that column, ***bold italics*** text indicates text as it was proposed by the EP.

Bold text indicates compromise text proposed by the Presidency in response to EP amendments.

Underlined bold text (normal or *italics*) indicates new text compared to document 6759/18 REV 4.

Text put into [square brackets] indicates parts of a text where the Presidency is open for discussions with the EP, without prejudice to Council's ulterior position on that amendment.

Where the fourth column is marked "*Maintain Council GA*", at this stage, Council maintains its position as reflected in the third column.

"*Addressed in Council GA*" means that the EP amendment, or part thereof, was already addressed in the Council GA; hence, the Council's GA will be maintained.

"*To be discussed with EP*" means that further explanations are sought from the EP *or* that Council is open to discuss the amendment with the EP, without prejudice to the Council's ulterior position on that amendment.

"*Accept*", "*Accept with changes*" or "*Accept in part*" indicates where the Presidency proposes to accept amendments, or parts thereof, proposed by the EP.

"*Compromise proposal*" refers to new elements based on discussions at technical and political level.

Where a "*Provisional agreement*" has been found with EP in the course of the second informal trilogue, this is marked accordingly.

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

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 REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on risk-preparedness in the electricity sector and repealing Directive 2005/89/EC</p>			<p>No changes</p>
<p>THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194 thereof, Having regard to the proposal from the European Commission, After transmission of the draft legislative act to the national parliaments,</p>		<p>THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194(2) thereof, Having regard to the proposal from the European Commission, After transmission of the draft legislative act to the national</p>	<p><i>Provisionally agreed at 2nd Trilogue (Council GA)</i> THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194(2) thereof, Having regard to the proposal from the European Commission,</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>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>After transmission of the draft legislative act to the national parliaments,</p> <p>Having regard to the opinion of the European Economic and Social Committee⁵ ,</p> <p>Having regard to the opinion of the Committee of the Regions⁶ ,</p> <p>Acting in accordance with the ordinary legislative procedure,</p> <p>Whereas:</p> <p><i>To be discussed with EP</i></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 markets and networks</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</p>		

¹ OJ C , , p. .

² OJ C , , p. .

³ OJ C , , p. .

⁴ OJ C , , p. .

⁵ OJ C , , p. .

⁶ OJ C , , p. .

<p>function in an optimal manner, to the benefit of businesses and consumers.</p>	<p>electricity market, so as to ensure that markets and networks function in an optimal manner, to the benefit of businesses and <i>Union citizens</i>. <i>This 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>(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>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 <i>and are interconnected</i>, 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 incidents <i>which</i> start locally can rapidly <i>have a cross-border effect</i>. 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>Maintain Council GA</i></p>

<p>(3) In a context of interlinked electricity markets and systems, crisis prevention and management cannot be considered a purely national 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>AM 3</p> <p>(3) In a context of interlinked electricity markets and systems, crisis prevention and management cannot be considered a purely national responsibility <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> transparency, <i>trust</i> and solidarity <i>between Member States</i>.</p>	<p>(3) Member States are responsible for ensuring the security of electricity supply within their territories. In a context of interlinked 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><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 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>. <i>Maintain Council GA</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</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</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).

<p>operators should cooperate to guarantee system stability¹ and as 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>operators should cooperate to guarantee system stability¹ and as regards the need to ensure that appropriate infrastructure is in place.² 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</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</p>	<p>(5) The System operation guidelines³ and the Network code on emergency and restoration⁴ 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</p>	<p><i>Accept with changes</i> (5) The System operation guidelines⁵ and the Network code on emergency and restoration⁶ 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</p>

¹ Reference to the revised Third Package

² 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.

³ Commission Regulation (EU) .../...of XXXX establishing a guideline on electricity transmission system operation, OJ [...]

⁴ Commission Regulation (EU) .../...of XXXX establishing a network code on electricity emergency and restoration, OJ [...].

⁵ Commission Regulation (EU) .../...of XXXX establishing a guideline on electricity transmission system operation, OJ [...]

⁶ Commission Regulation (EU) .../...of XXXX establishing a network code on electricity emergency and restoration, OJ [...].

<p>crisis situations, however, system operation rules should continue to be fully respected.</p>	<p>situations, however, system operation rules should continue to be fully respected and consistency between the provisions of this Regulation and the network code on emergency and restoration should be ensured.</p>	<p>suffice. Even in electricity crisis situations, however, system operation rules should continue to be fully respected.</p>	<p>suffice. Even in electricity crisis situations, however, system operation rules should continue to be fully respected and consistency between the provisions of this Regulation and the network code on emergency and restoration should be ensured.</p>
		<p>(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.</p>	<p><i>Maintain Council GA</i> (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 Coordination Centres]. 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 Coordination Centres] should have the possibility to form sub-groups of Member States belonging to the same capacity calculation region. The Regulation should build on this approach. <i>To be discussed with EP</i></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</p>	<p>AM 5 (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</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</p>	

<p>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 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>and ensuring that, even in a crisis, measures are taken in a coordinated and effective manner and 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 the effective monitoring of security of supply in Europe via the Electricity Coordination Group. This should result in better risk-preparedness at a lower cost, the optimisation of resources and mitigated impact on citizens and companies in time of crisis. It should also strengthen the internal energy market by strengthening trust and confidence among Member States and ruling out inappropriate state-interventions in crisis situations, in particular by avoiding the unnecessary application of non-market measures and undue curtailment of cross-border flows and cross-zonal transmission capacities, thus reducing the risk of negative spill-over effects on neighbouring Member States.</p>	<p>[] 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 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 <i>proposed</i></p>			<p><i>No changes</i></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><i>Electricity Regulation</i>]. This Regulation complements the NIS Directive ensuring that cyber-incidents are properly identified as a risk, and the measures taken to deal with them are properly reflected in the risk-preparedness plans.</p>			
<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,</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>multi-hazard national risk assessments required under Decision No 1313/2013/EU.</p>			
<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</i></p>		<p>No changes</p>

	<p><i>designate a single competent national governmental or regulatory authority as a contact point. This may be an existing or new entity.</i></p> <p>AM 7</p> <p><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><i>Partially addressed in Council GA</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>(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 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>AM 8</p> <p>(11) <i>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 perform in that area.</i> 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>(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 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><i>To be discussed with EP</i></p>
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<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, 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>AM 9</p> <p>(12) To ensure coherence <i>in the assessment of risk and build</i> trust between Member States in a crisis situation, a common approach to <i>identify</i> risk scenarios is needed. 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>(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. 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><i>Compromise proposal</i></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. Therefore, ENTSO-E should develop a common methodology for risk identification in cooperation with the Agency and the [] Electricity Coordination Group in its formation composed by representatives of Member States only, 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</p>	<p>AM 10</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] In order to reinforce the</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 (ENTSOG) pursuant to Article 6.6 of the Gas Security of Supply Regulation [proposed Gas Security of Supply Regulation]. Member States</p>	<p><i>Maintain Council GA</i></p>

<p>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 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>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. Member States should, on the basis of those regional crisis scenarios, establish and update their national crisis scenarios, in principle every three years. The scenarios should then 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 any 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 considered to be necessary and proportionate.</p>	<p>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 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</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</p>	<p>Maintain Council GA</p>

<p>neighbouring Member States. This Regulation therefore requires Member States to cooperate in a regional context.</p>		<p>neighbouring Member States. This Regulation therefore requires Member States to cooperate in a regional context.</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 (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><i>Maintain Council GA</i></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</p>	<p>AM12 (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</p>	<p>(16) The [<i>proposed Electricity Regulation</i>] 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</p>	<p><i>Compromise proposal</i> (16) The [<i>proposed Electricity Regulation</i>] 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</p>

<p>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 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>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 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>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 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>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 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 developed by ENTSO-E in cooperation with the [] Agency and the [] Electricity Coordination Group in its formation composed by representatives of Member States only, with ENTSO-E proposing the methodology and the Agency approving it.</p>
<p>(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</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</p>	<p><i>Maintain Council GA</i></p>

<p>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>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>(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 addressing all identified crisis situations. All envisaged non-market measures should comply with the rules set out in this Regulation.</p>	<p>AM 13 (18) To ensure a common approach to crisis prevention and management, the competent authority of each Member State should, <i>on the basis of the regional and national electricity crisis scenarios identified</i>, 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 <i>are considered necessary</i> 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>Compromise proposal</i> (18) To ensure a common approach to crisis prevention and management, the competent authority of each Member State should, <i>on the basis of the regional and national electricity crisis scenarios identified</i>, draw up a risk-preparedness plan. [] The competent authorities should consult stakeholders or representatives of stakeholder groups, such as from producers or their trade bodies or distribution system operators, which are relevant for the prevention and handling of an electricity crisis. To this end, the competent authorities should decide on the appropriate modalities on how to carry out the consultation. 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>(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 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>(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 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, inter alia, 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</p>	<p>Maintain Council GA</p>
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<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 centres to test their suitability.</p>	<p>AM 14 (20) Plans should be updated regularly and made public, while ensuring confidentiality of sensitive information. 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 centres to test their suitability.</p>	<p>operational in nature, their function being to help prevent the occurrence or escalation of an electricity crisis and to mitigate its effects.</p>	<p><i>Maintain Council GA</i></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>(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>(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</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</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</p>	<p><i>Maintain Council GA</i></p>

<p>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>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 legislative framework.</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>(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</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</p>	<p><i>Maintain Council GA</i></p>

<p>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 mechanisms. The Commission may facilitate the preparation of the regionally coordinated measures in the concerned region.</p>	<p>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. (part of recital 24 was moved and amended below as recital 24a) 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 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>(ex part of recital 24) 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</p>	<p>(24a) (ex part of recital 24) When agreeing on [] coordinated measures and technical, legal and financial arrangements and otherwise implementing provisions on assistance, Member States should take</p>	<p>Maintain Council GA</p>

<p>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>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 <input type="checkbox"/> assistance, in particular concerning coordinated measures and the necessary technical, legal and financial <input type="checkbox"/> arrangements, including fair compensation <input type="checkbox"/>. The Commission may facilitate the preparation of the regionally coordinated measures in the concerned region.</p>	
		<p>(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.</p>	<p><i>Maintain Council GA</i></p>

		<p>(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 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><i>Maintain Council GA</i></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</p>	<p><i>Maintain Council GA</i></p>

		<p>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 arrangements.</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 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><i>Maintain Council GA</i></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-</p>	<p><i>Maintain Council GA</i></p>

		<p>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>(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</p>		<p>(25) This Regulation should enable electricity undertakings and customers to rely on market mechanisms as laid down in [<i>proposed Electricity Directive and Electricity Regulation</i>] 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</p>	<p><i>Maintain Council GA</i></p>

<p>non-market measures should be necessary, proportionate, non-discriminatory and temporary.</p>		<p>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>(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 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>AM 15</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 supply¹¹. Through this Regulation, its role is reinforced. It should carry out specific tasks, notably in connection with the preparation of 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. <i>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.</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 electricity supply.¹ Through this Regulation, its role is reinforced. It should carry out specific tasks, notably in connection with the 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><i>Maintain Council GA</i></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</p>	<p>AM 16</p> <p>(29) An electricity crisis might extend beyond Union borders comprising also Energy Community countries. <i>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 and appropriate and stable regulatory framework.</i> In order</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</p>	<p><i>Addressed in Council GA</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>an electricity crisis.</p>	<p>to ensure an efficient crisis management on borders between the Member States and the contracting Parties <i>to the Energy Community Treaty</i>, the Union should closely cooperate with the Energy Community Contracting Parties when preventing, preparing for and handling an electricity crisis.</p>	<p>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>(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</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</p>	<p><i>Maintain Council GA</i></p>

<p>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>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>(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,</p>			<p><i>No changes</i></p>
<p>HAVE ADOPTED THIS REGULATION:</p>			<p><i>No changes</i></p>

**CHAPTER I
GENERAL PROVISIONS**

Article 1

Subject matter

<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 <i>and in line with the Union's energy and climate objectives.</i></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 style="text-align: right;"><i>Maintain Council GA</i></p>
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Article 2

Definitions

<p>1. For the purposes of this Regulation, the definitions in Article 2 of the Electricity Directive [proposed Electricity Regulation] and Article 2 of the Electricity Regulation [proposed Electricity Regulation] shall apply.</p>	<p>1. For the purposes of this Regulation, the definitions set out in Article 2 of the Electricity Directive [proposed Electricity Regulation] and in Article 2 of the Electricity Regulation [proposed Electricity Regulation] shall apply.</p>	<p><i>Provisionally agreed at 2nd Trilogue (Council GA maintained)</i> 1. For the purposes of this Regulation, the definitions set out in Article 2 of the Electricity Directive [proposed Electricity Regulation] and in Article 2 of the Electricity Regulation [proposed Electricity Regulation] shall apply.</p> <p><i>No changes</i></p> <p style="text-align: right;"><i>Maintain Council GA</i></p>
<p>2. The following definitions shall also apply: (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>(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 style="text-align: right;"><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</p> <p>(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>Provisionally agreed at 2nd Trilogue (Addressed in Council GA)</i></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>(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</p> <p>(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>Provisionally agreed at 2nd Trilogue (AM accepted with changes)</i></p> <p>(ca) 'competent authority' means a national governmental authority or a regulatory authority designated by a Member State to carry out the measures, for which the competent authority is responsible for, as provided for in this Regulation.</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</p>	<p>AM 20</p> <p>(e) 'non-market measure' means any supply-side, network-side or demand-side measure deviating from market rules or commercial agreements, with a</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>To be discussed with EP</i></p>

<p>mitigate an electricity crisis;</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>view to mitigate an electricity crisis;</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><i>Compromise proposal (aligned with New Art. 18b & with current state of negotiations on EMD Regulation)</i></p> <p>(f) 'region' means a group of Member States whose transmission system operators are sharing the same [Regional Coordination Centre], for the function of regional operational security as created pursuant to [] <u>Article 33 of the Electricity Regulation.</u></p>
<p>AM 21</p> <p>(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].</p>			<p><i>Provisionally agreed at 2nd Trilogue (Council GA / Reject)</i></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><i>Provisionally agreed at 2nd Trilogue (Council GA maintained)</i></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>

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: [] 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 [] in this Regulation. Competent Authorities shall cooperate with each other for the purposes of this Regulation.</p>	<p><i>To be discussed with EP</i></p> <p>1. As soon as possible and by [OPOCE to insert exact date: five 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 in this Regulation. Competent Authorities shall cooperate with each other for the purposes of this Regulation. <u>Where appropriate, until the Competent Authority is formally designated, the national entities responsible for security of electricity supply shall carry out the tasks to be implemented by the Competent Authority in accordance with this Regulation.</u></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</p> <p>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><i>Provisionally agreed at 2nd Trilogue (AM accepted with changes)</i></p> <p>2. Member States shall, without delay, notify the Commission and the Electricity Coordination Group, and make public the name and the contact details of its competent authority, once designated and any changes thereto.</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</p>	<p><i>Maintain Council GA</i></p>

		<p>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>CHAPTER II RISK ASSESSMENT</p>			
<p><i>Article 4</i> Security of supply assessments</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, the transmission system operators, the national regulatory authorities and other relevant stakeholders.</i></p>	<p><i>Article 4</i> Assessment of risks to security of electricity supply []</p>	<p><i>Maintain Council GA</i></p>
<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>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 [] distribution system operators, national regulatory authorities, ENTSO-E, [Regional Coordination Centres] and other relevant stakeholders as required.</p>	<p><i>Provisionally agreed at 2nd Trilogue (Compromise text)</i> 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 [] distribution system operators, national regulatory authorities, ENTSO-E, [Regional Coordination Centres] and other relevant stakeholders as required.</p>

Article 5

Methodology for identifying electricity crisis scenarios at a regional level

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

<p>(d) ranking of risks according to their impact and probability.</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>(e) principles on how to handle sensitive information while ensuring transparency towards the public.</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 Gas Security of Supply Regulation [proposed Gas Security of Supply Regulation].</p>	<p><i>Provisionally agreed at 2nd Trilogue (Council GA maintained)</i></p> <p>(e) principles on how to handle sensitive information while ensuring transparency towards the public.</p> <p><i>Provisionally agreed at 2nd Trilogue (Council GA maintained)</i></p> <p>3a 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 Gas Security of Supply Regulation [proposed Gas Security of Supply Regulation].</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 <i>regional coordination centres</i>, industry and consumer organisations, <i>generators, the transmission system operators, the distribution system operators, the competent authorities</i>, the national regulatory authorities, <i>and other relevant stakeholders</i>. ENTSO-E shall duly take into account the <i>result</i> 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</p>	<p><i>Accept in part</i></p> <p>4. Before submitting the proposed methodology, ENTSO-E shall conduct a consultation involving at least the [Regional Coordination Centres], industry and consumer organisations, producers or their trade bodies, transmission and relevant 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,</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>Coordination Group.</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>together with the proposed methodology, to the Electricity Coordination Group [].</p> <p><i>Compromise proposal</i></p> <p>5. Within two months of the receipt of the proposed methodology, the [] Agency shall either approve the proposal or amend it, <u>after consulting the Electricity Coordination Group in its formation composed by representatives of Member States only and taking utmost account of the views expressed by the Electricity Coordination Group. The final version of the methodology shall be published on the websites of ENTSO-E and the Agency.</u></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 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 <i>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 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,</p>	<p><i>Compromise proposal</i></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 in its formation composed by representatives of Member States only 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</p>

		<p>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>approve or amend the proposed changes, <u>after consulting the Electricity Coordination Group in its formation composed by representatives of Member States only and taking utmost account of the views expressed by the Electricity Coordination Group. The final version shall be published on the websites of ENTSO-E and the Agency.</u></p>
<p><i>Article 6</i> Identification of electricity crisis scenarios at a regional level</p>			
<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. 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</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>Compromise proposal / ibd. w. EP</i></p> <p>1. By [OPOCE to insert exact date: [five] 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 Coordination Centres], competent authorities and national regulatory authorities, 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 Coordination Centres], in case the Member States of the TSOs that are members of the respective [Regional Coordination Centre] do</p>

<p>2. ENTSO-E shall submit the regional electricity crisis scenarios identified to the Electricity Coordination Group for consultation.</p>	<p><i>confidentiality of sensitive information is preserved.</i></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>not object. <i>Provisionally agreed at 2nd Trilogue (Council GA maintained)</i> 2. ENTSO-E shall submit the regional electricity crisis scenarios identified to the relevant transmission system operators, [Regional Coordination Centres], competent authorities and national regulatory authorities and the Electricity Coordination Group which may recommend amendments. <i>Maintain Council GA</i></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>	

Article 7

Identification of electricity crisis scenarios at national level

<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><i>To be discussed with EP (AM partially addressed in 1a below)</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>1a. In identifying the national electricity crisis scenarios the competent authority, shall consult the transmission and relevant distribution system operators or their trade bodies and the national regulatory authority where it is not the competent authority.</p>	<p><i>Provisionally agreed at 2nd Trilogue (Council GA maintained)</i></p> <p>1a. In identifying the national electricity crisis scenarios the competent authority, shall consult the transmission system operators [] the distribution system operators considered relevant by the competent authority, relevant producers or their trade bodies and the national regulatory authority where it is not the competent authority.</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>

<p>Methodology for short-term adequacy assessments</p>	<p>AM 30 Methodology for short-term and seasonal adequacy assessments</p>		<p><i>Provisionally agreed at 2nd Trilogue (AM accepted)</i> Methodology for short-term and seasonal adequacy assessments</p>
<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>Compromise proposal / tbd. w. EP</i> 1. By [OPOCE to insert exact date: [five] 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 at least day ahead adequacy, which shall cover at least the following:</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>Provisionally agreed at 2nd Trilogue (AM accepted)</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, <i>variable demand, in particular peaks depending on weather conditions</i>, and variability of energy production from renewable energy sources;</p>

<p>(b) the probability of the occurrence of a critical situation;</p> <p>(c) the probability of the occurrence of a simultaneous crisis situation.</p>	<p>AM 33</p> <p>(b) the probability of the occurrence of <i>an electricity crisis</i>;</p>	<p>(b) the probability of the occurrence of [] an electricity crisis;</p> <p>(c) the probability of the occurrence of a simultaneous electricity crisis [].</p>	<p><i>Provisionally agreed at 2nd Trilogue (AM addressed in Council GA)</i></p> <p>(b) the probability of the occurrence of an electricity crisis;</p> <p><i>Provisionally agreed at 2nd Trilogue (Council GA maintained)</i></p> <p>(c) the probability of the occurrence of a simultaneous electricity crisis.</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</p> <p>The methodology shall provide for a probabilistic approach and consider the regional and Union wide context, including <i>the level of interconnection</i> between Member States and to the extent possible non-EU countries within synchronous areas of the Union.</p>	<p>1a. <i>(before part of paragraph 1)</i></p> <p>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>Provisionally agreed at 2nd Trilogue (AM accepted with changes)</i></p> <p>1a. The methodology shall provide for a probabilistic approach, including multiple scenarios, and consider the national, 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. The methodology shall take into account the specificities of each Member State's energy sector, including specific weather conditions and external circumstances.</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</p> <p>2. Before submitting the proposed methodology, ENTSO-E shall conduct a consultation involving at least the regional coordination centres, industry and consumer organisations, generators, the transmission system operators and the distribution system operators, the competent authorities, other national regulatory authorities, other national authorities and relevant stakeholders. ENTSO-E shall duly take into account the result 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>Compromise proposal</i></p> <p>2. Before submitting the proposed methodology, ENTSO-E shall conduct a consultation involving at least the [Regional Coordination Centres], industry and consumers, producers or their trade bodies, transmission system operators, relevant 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>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><i>Compromise proposal</i></p> <p>3. Within two months of the receipt of the proposed methodology, the Agency shall either approve the proposal or amend it, after consulting the Electricity Coordination Group in its formation composed by representatives of Member States only and taking utmost account of the views expressed by the Electricity Coordination Group. The final version of the methodology shall be published on the websites of ENTSO-E and the Agency.</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 the Agency 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 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 consultation. The final version shall be published on the website of the Agency and ENTSO-E.</p>	<p><i>Compromise proposal</i></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 in its formation composed by representatives of Member States only 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, after consulting the Electricity Coordination Group in its formation composed by representatives of Member States only and taking utmost account of the views expressed by the Electricity Coordination Group. The final version shall be published on the websites of ENTSO-E and the Agency.</p>
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Article 9

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>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><i>Provisionally agreed at 2nd Trilogue (AM addressed in Council GA)</i></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 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>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><i>Compromise proposal</i></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 Coordination Centres], in case the Member States of the TSOs that are members of the respective [Regional Coordination Centre] do not object. 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>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>Compromise proposal</i> 3. The [Regional Coordination Centres] shall carry out week-ahead to at least day ahead adequacy assessments as defined in System Operation Guidelines on the basis of the methodology adopted pursuant to Article 8.</p>
<p>CHAPTER III RISK-PREPAREDNESS PLANS</p>			
<p><i>Article 10</i> Establishment of risk-preparedness plans</p>			
<p>AM 38 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>Partially addressed in Council GA (first part in para 1, confidentiality of information in para 7 and Article 17a)</i> 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 [] distribution system operators considered relevant by the competent authority, 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>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 electricity market and system operation. They shall be clearly defined, transparent, proportionate and non-discriminatory.</p>			<p><i>No changes</i></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 [] content and the structure of Article 11 and 12. The Commission [] may issue a non-binding guideline regarding formats for such plans.</p>	<p><i>Compromise proposal</i></p> <p>3. The plan shall be developed in accordance with [] Article 11 and 12 and with the template in the Annex. <u>If necessary, Member States may include additional information.</u> []</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 relevant Member States in the region, [] 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>Provisionally agreed at 2nd Trilogue (Council GA maintained)</i></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 relevant Member States in the region, and the directly connected Member States when they are not in the same region, and the Electricity Coordination Group for consultation.</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 [] six months after receiving [] the draft plan, the competent authorities of the [] Member States in the region, the directly connected Member States and the Electricity Coordination Group [] 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 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>6. Within [] nine months of submitting the draft plan, the competent authority of the Member State concerned [] shall adopt the 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><i>Maintain Council GA</i></p>
<p>7. The Member States shall make the plans public, while ensuring that the confidentiality of sensitive information is preserved, notably prevention and mitigation of malicious attacks.</p>	<p>(AM 39: "<i>deleted</i>" by <i>mistake</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 years 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>To be discussed with EP</i></p> <p>8. The competent authorities of the Member States shall adopt and publish the first plan by [OPOCE to insert exact date: two years and 3 months] 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>Article 11</i></p>			
<p>Content of risk-preparedness plans as regards national measures</p>			
<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>(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>(b) establish the role and responsibilities of the competent authority;</p> <p>(c) describe the measures designed to prepare for and to prevent the risks identified pursuant to Articles 6 and 7;</p>			<p><i>No changes</i></p> <p><i>Maintain Council GA</i></p> <p><i>Maintain Council GA</i></p> <p><i>No changes</i></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 (g) identify possible non-market measures to be implemented in electricity crisis situations, specifying the trigger, conditions and procedures for their deployment (including any compensation schemes), assessing the degree to which the use of such measures is necessary in dealing with a crisis 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>Maintain Council GA (see compensation in Art. 14)</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</p>	<p>AM 41 (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,</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</p>	<p>Maintain Council GA</p>

and personal security;	personal security <i>and the continuity of essential public services</i> ;	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;	
(i) describe the mechanisms used to inform the public about any electricity crisis.			<i>No changes</i>
	AM 42 <i>(ia) describe the national measures necessary to implement and enforce the regional measures agreed on in accordance with Article 12;</i>		<i>Provisionally agreed at 2nd Trilogue (AM accepted)</i> <i>(ia) describe the national measures necessary to implement and enforce the regional measures agreed on in accordance with Article 12;</i> <i>Maintain Council GA</i>
	AM 43 <i>(ib) take into account the environmental impact of the measures established;</i>		
		(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.	<i>Provisionally agreed at 2nd Trilogue (Council GA maintained)</i> (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. <i>Maintain Council GA</i>
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.		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 [].	

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

<p>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:</p>		<p>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:</p>	<p><i>Compromise proposal</i></p> <p>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, which are technically able to provide each other assistance in accordance with Article 14, within the region concerned. Bilateral measures shall be agreed between Member States which are directly interconnected but not part of the same region. Member States shall ensure consistency between regional and bilateral measures. Regional and bilateral measures shall include at least:</p> <p><i>(Necessary clarification that regional measures are not necessarily be agreed upon between all members of a region.)</i></p> <p><i>Addressed in Council GA</i></p>
<p>(a) the designation of a regional crisis manager or team;</p>	<p>AMI 44 (a) the designation of a regional crisis <i>co-ordinator</i> or team;</p>	<p>(a) the designation of a [] coordinator or team composed of the relevant national electricity crisis managers;</p>	

<p>(b) mechanisms to share information and cooperate within a region;</p>		<p>(b) mechanisms to share information and cooperate [] ;</p>	<p>Maintain Council GA</p>
<p>(c) measures to mitigate the impact of a crisis including a simultaneous regional load-shedding plans and technical, legal and financial arrangements regarding mutual 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>AM 45 (c) measures to mitigate the impact of a crisis including a simultaneous regional load-shedding plans and technical, legal and financial arrangements regarding mutual 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>(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 [];</p>	<p>Maintain Council GA</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</p>	<p>AM 46 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</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</p>	<p><i>Compromise Proposal</i> 2. The regional and bilateral measures to be included in the plan shall be agreed by Member States concerned, after consulting the relevant [Regional Coordination</p>

<p>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 to facilitate the conclusion of an agreement in consultation with ENTSO-E.</p>	<p><i>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 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 such a case the Commission <i>shall propose a cooperation mechanism for the conclusion of an agreement on regional measures.</i></p>	<p>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 Electricity Coordination Group. If [] any Member States are not able to reach an agreement, the [] competent authorities concerned shall inform the Commission of the reasons for such disagreement. In such a case the Commission [] shall propose measures including a cooperation mechanism for the conclusion of an agreement [] on cross-border measures.</p>	<p><u>Centres</u>. 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 Electricity Coordination Group. If any Member States are not able to reach an agreement, the competent authorities concerned shall inform the Commission of the reasons for such disagreement. In such a case the Commission shall propose measures including a cooperation mechanism for the conclusion of an agreement 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</p>	<p>AM 47</p> <p>3. In cooperation with the regional operational centres and with the involvement of relevant stakeholders, the competent authorities of each</p>	<p>3. [] With [] the involvement of relevant stakeholders, the competent authorities of each region shall test periodically the effectiveness of the</p>	<p><i>Maintain Council GA</i></p> <p>[] With [] the involvement of relevant stakeholders and the relevant [Regional Coordination Centres], the competent authorities of each region</p>

region shall carry out annual crisis simulations, in particular testing the communication mechanisms referred to in point (b) of paragraph 1.	region shall carry out annual <i>real time response</i> simulations of <i>electricity crisis situations</i> , in particular testing the communication mechanisms referred to in point (b) of paragraph 1.	procedures developed in risk preparedness plans for preventing electricity crisis situations, including communication mechanisms and carry out [] biennial crisis simulations, in particular testing the communication mechanisms referred to in point (b) of paragraph 1.	shall test periodically the effectiveness of the procedures developed in risk preparedness plans for preventing electricity crisis situations, including communication mechanisms and carry out [] biennial crisis simulations, in particular testing the communication mechanisms referred to in point (b) of paragraph 1.
	AM 48 <i>Article 12a</i> <i>Commission role in amending the risk preparedness plans</i>		<i>Maintain Council GA / Reject</i> <i>See compromise proposal as of "New Article 12a" below</i>
	1. <i>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:</i>		<i>Maintain Council GA / Reject</i>
	<i>(a) likely to distort the Union internal market;</i>		<i>Maintain Council GA / Reject</i>
	<i>(b) not necessary or proportionate to ensure security of supply;</i>		<i>Maintain Council GA / Reject</i>
	<i>(c) likely to jeopardise the security of supply of other Member States; or</i>		<i>Maintain Council GA / Reject</i> <i>(addressed in New Art. 12a (2)(d) below)</i>
	<i>(d) be in the contradiction with the Union's climate policy objectives.</i>		<i>Maintain Council GA / Reject</i>
	<i>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.</i>		<i>Maintain Council GA / Reject</i>

				<p><i>New Article 12a</i></p> <p><i>Commission role in <u>assessing the risk preparedness plans</u></i></p>
				<p>1. Within four months of the notification by the competent authorities, the Commission shall assess the plans taking duly into account the views expressed in the Electricity Coordination Group.</p> <p>2. Following a consultation with the Electricity Coordination Group, the Commission shall issue a <u>legally non-binding</u> opinion, including detailed reasons, to the competent authority with the recommendation to review a risk preparedness plan if one or more of the following applies:</p> <p>(a) it is not effective to mitigate the risks identified in the risk scenarios;</p> <p>(b) it is inconsistent with the risk scenarios identified or with the plan of <u>another Member State</u>;</p> <p>(c) it does not comply with the requirements laid down in Article 10 paragraph 2;</p> <p>(d) measures in the plan are <i>likely to jeopardise the security of supply of other Member States</i>; <i>(see AM 48 (1)(a))</i></p>

			<p>(e) it does not comply with the provisions of this Regulation or it unduly distorts competition or the effective functioning of the internal market. (see also Regulation (EU) 2017/1938 on security of gas supply, Art.8 (8)(c))</p>
			<p>3. Within three months of notification of the Commission's opinion referred to in paragraph 2, the competent authority concerned shall take full account of the detailed reasons of the Commission and shall notify the amended risk preparedness plan to the Commission, or shall inform the Commission of the reasons for which it disagrees with the recommendations.</p>
			<p>4. In the event of disagreement related to elements referred to in paragraph 2, the Commission may, within four months of the reply of the competent authority, withdraw its request or convene the competent authority and, where the Commission considers it to be necessary, the Electricity Coordination Group, in order to consider the issue. The Commission shall set out its detailed reasons for requesting any amendments to the risk preparedness plan. Where the final position of the competent</p>

		<p><u>authority concerned diverges from the Commission's detailed reasons, that competent authority shall provide the Commission with, together with its position and the Commission's detailed reasons, the justification underlying its position within two months of receipt of the detailed reasons of the Commission.</u></p>
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**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><i>Maintain Council GA</i></p>
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<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 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>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 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><i>Maintain Council GA</i></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 proceedings, arbitration proceedings or similar proceedings and settlements.</p>	<p><i>Compromise proposal (see AM 49)</i></p> <p>(b) reasonable compensation costs incurred by the Member State providing assistance, including as regards reimbursement for <u>assistance prepared without effective activation as well as for any compensation resulting from judicial proceedings, arbitration proceedings or similar proceedings and settlements.</u></p>

		<p>2c. Fair compensation pursuant to paragraph 2b shall include, inter alia, all reasonable costs that the Member State providing assistance incurs from an obligation to pay 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><i>Maintain Council GA</i></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>Compromise proposal (to implicitly address elements of AM 29 & AM 41)</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 and the Agency 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</p>

			<p><u>paragraph 2a but also general principles of mutual assistance referred to in paragraph 2.</u></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 arrangements in order to apply this Article, including as regards fair compensation pursuant to paragraphs 2b, 2c and 3.</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 arrangements in order to apply this Article, including as regards fair compensation pursuant to paragraphs 2b, 2c and 3. <u>Where a Member State requests assistance before such agreements have been concluded, it shall declare in advance of any support to pay a compensation pursuant to paragraphs 2b, 2c and 3.</u></p> <p><i>Maintain Council GA</i></p>
		<p>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.</p>	

Article 15

Observance of market rules

<p>1. Measures taken to prevent or mitigate electricity crisis situations shall comply with the rules governing the internal electricity market and system operation.</p>			<p>No changes</p>
<p>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.</p>	<p>AM 50</p> <p>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, non-discriminatory and temporary. <i>All relevant stakeholders shall be immediately informed of any application of non-market measures.</i></p>	<p>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. Relevant stakeholders in that Member State shall be informed by the competent authority of any application of non-market measures.</p>	<p><i>Accept in part</i></p> <p>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 it is evident that 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. Relevant stakeholders in that Member State shall be informed by the competent authority of any application of non-market measures.</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], [] and the rules adopted to specify this provision.</p>
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^{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>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 of the Member State that declared an emergency situation 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>To be discussed with EP</i></p> <p>1. As soon as possible and no later than [three months] after lifting [] an electricity crisis situation, the competent authority or competent authorities of the Member State that declared an emergency situation 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>2. The report shall include at least:</p> <p>(a) a description of the event that triggered the crisis;</p> <p>(b) a description of preventive, preparatory and mitigating measures taken and an assessment of their proportionality and effectiveness;</p> <p>(c) an assessment of the cross-border impact of the measures taken;</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>(b) a description of preventive, preparatory and mitigating measures taken, if any, and an assessment of their proportionality and effectiveness;</p>	<p><i>No changes</i></p> <p><i>Provisionally agreed at 2nd Trilogue (reverted to original COM wording due to clarification in (1))</i></p> <p>(a) a description of the event that triggered the crisis;</p> <p><i>Maintain Council GA</i></p> <p><i>No changes</i></p>

<p>(d) an account of the assistance provided to or received from neighbouring Member States and non-EU countries;</p>	<p>AM 53 (d) an account of the assistance prepared (with or without effective activation), provided to or received from neighbouring Member States and non-EU countries;</p>		<p><i>To be discussed with EP</i></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>AM 54 (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, the curtailment of available or allocated cross-zonal capacities, the level of manual demand disconnection (including a comparison between the level of voluntary and forced demand disconnection), and the measures imposed on stakeholders such as power generators, suppliers and other relevant market participants;</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>Compromise proposal</i> (e) <input type="checkbox"/> the economic impact of the electricity crisis and the impact of the measures taken on the electricity sector to an extent possible, 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>(f) any possible improvements or proposed improvements to the risk-preparedness plan.</p>	<p>AM 55 (e a) a thorough justification of the application of non-market measures;</p>		<p><i>Provisionally agreed at 2nd Trilogue (AM accepted)</i> (e a) a justification of the application of non-market measures; <i>No changes</i></p>
	<p>AM 56 (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</p>		<p><i>Provisionally agreed at 2nd Trilogue (Council GA maintained / Reject, addressed in (g) below)</i></p>

	<p><i>structural weaknesses of the system, in compliance with the principles laid down in Directive (EU) ... [on 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>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>(g) possible improvement of grid development in cases where insufficient network development caused or contributed to the crisis.</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><i>Provisionally agreed at 2nd Trilogue (Compromise text, see AM 56)</i> (g) an overview of possible improvement of grid development in cases where insufficient network development caused or contributed to the crisis. <i>Maintain Council GA</i></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><i>Provisionally agreed at 2nd Trilogue (AM accepted)</i> 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>

<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.			<i>No changes</i>
		(h) the methodology for short term adequacy assessment, as referred to in Article 8.	<i>Maintain Council GA</i>
		(i) the methodology for identifying electricity crisis scenarios at a regional level as referred to in Article 5.	<i>Maintain Council GA</i>
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 [].	<i>Maintain Council GA</i>
		3. The Agency shall carry out continuous monitoring of the security of electricity supply measures and report regularly to the Electricity Coordination Group.	<i>Maintain Council GA</i>
		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.	<i>Maintain Council GA</i>

			<i>Maintain Council GA</i>
		Article 17a Treatment of confidential information	<i>Maintain Council GA</i>
		<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 the Member State or authority in question shall provide, if possible, a non-confidential summary thereof upon request.</p>	<p><i>Compromise proposal</i></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 the Member State or authority in question shall provide <input type="checkbox"/> 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>	<p><i>Maintain Council GA</i></p> <p>2. The Commission, the Agency, the Electricity Coordination Group, <input type="checkbox"/> ENTSO-E and Member States shall ensure that the confidentiality of sensitive information is preserved.</p>

**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>Provisionally agreed at 2nd Trilogue (Council GA maintained)</i> 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>
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		<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>	<p><i>Provisionally agreed at 2nd Trilogue (Council GA maintained)</i></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>
			<p><u>New Article 18b</u> <u>Transitional provision on the definition of regions</u></p> <p><i>Provisionally agreed at 2nd Trilogue</i></p> <p>Until [Regional Coordination Centres] are created pursuant to Article 33 of the Electricity Regulation, the region shall mean a Member State or a group of Member States located in the same synchronous area.</p>

<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><i>Maintain Council GA</i></p>

<i>Article 20</i> Repeal	
Directive 2005/89/EC is repealed.	<i>No changes</i> Directive 2005/89/EC is repealed.
<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>	<p><i>No changes</i></p> <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>

ANNEX Template for risk-preparedness plan		<i>The entire ANNEX was deleted</i>	<i>Entire Annex to be discussed (<u>Bold underlined</u> markings in the Annex indicate new/different elements compared to the initial COM proposal.)</i>
The following templates shall be completed in English.		[]	The following templates shall be completed in English.
GENERAL INFORMATION		[]	GENERAL INFORMATION
– Name of the Competent Authority responsible for the preparation of this Plan			– Name of the Competent Authority responsible for the preparation of this Plan
– Member States in the region			– Member States in the region
1. SUMMARY OF THE ELECTRICITY CRISIS SCENARIOS		[]	1. SUMMARY OF THE ELECTRICITY CRISIS SCENARIOS
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.		[]	Describe briefly the risk scenarios identified at regional and national level in accordance with the procedure set out in Article 6 and 7 , including the description of the assumptions applied.
2. ROLES AND RESPONSIBILITIES OF THE COMPETENT AUTHORITY		[]	2. ROLES AND RESPONSIBILITIES OF THE COMPETENT AUTHORITY
Define the role and responsibilities of the Competent Authorities and the bodies to which tasks have been delegated		[]	Define the role and responsibilities of the Competent Authorities and the bodies to which tasks have been delegated <u>Describe which tasks, if any, have been delegated to other bodies.</u>

<p>3. PROCEDURES AND MEASURES IN THE ELECTRICITY CRISIS</p> <p>3.1. National procedures and measures</p> <p>(a) Describe procedures to be followed in the cases of an electricity crisis, including the corresponding schemes on information flows;</p> <p>(b) Describe preventive and preparatory measures;</p>		<p>[]</p>	<p>3. PROCEDURES AND MEASURES IN THE ELECTRICITY CRISIS</p> <p>3.1. National procedures and measures</p> <p>(a) Describe procedures to be followed in the cases of an electricity crisis, including the corresponding schemes on information flows;</p> <p>(b) Describe preventive and preparatory measures;</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</p> <p>(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>(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 and <u>must comply with regionally coordinated measures</u>;</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>(d) Provide a <u>framework for manual load shedding</u> [], stipulating <u>under which circumstances</u> [] loads are to be shed []. Specify <u>with regard to public safety and personal security</u> which categories of electricity users <u>are, in accordance with national law, entitled to receive special protection</u> against disconnection, and <u>justify the need for such protection. Specify how the transmission and distribution system</u></p>

<p>(e) Describe the mechanisms used to inform the public about the electricity crisis.</p>		<p>[]</p>	<p><u>operators should act in order to decrease the consumption;</u> (e) Describe the mechanisms used to inform the public about the electricity crisis.</p>
<p>3.2. Regional procedures and measures</p>	<p>AM 60 <i>(ea) Describe the national measures necessary to implement and enforce the regional measures agreed on in accordance with Article 12.</i></p>	<p>[]</p>	<p><i>Accept</i> <i>(ea) Describe the national measures necessary to implement and enforce the regional measures agreed on in accordance with Article 12.</i></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>[]</p>	<p>3.2. Regionally <u>coordinated cross-border</u> procedures and measures (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>(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 (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>[]</p>	<p>(b) Describe agreed <u>coordinated cross-border</u> measures [] including <u>necessary technical, legal and</u> financial arrangements for the implementation <u>of the coordinated measures</u>. When describing such arrangements, <u>provide information on 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. Describe the national measures necessary to</u></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>4. CRISIS MANAGER OR TEAM</p>			<p><u>implement and enforce the regional and bilateral measures agreed;</u></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>4. CRISIS COORDINATOR OR TEAM</p>
<p>Indicate who the crisis manager or team is and define its role. Specify the contact details.</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>Indicate who the crisis coordinator or team is and define its role. Specify the contact details.</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>(a) electricity and gas undertakings;</p> <p>(b) relevant organisations representing the interests of households;</p> <p>(c) relevant organisations representing the interests of industrial electricity customers, including gas undertakings;</p> <p>(d) national regulatory authorities.</p>			<p>(a) <u>relevant</u> electricity and <u>natural</u> gas undertakings, <u>including relevant producers or their trade bodies;</u></p> <p>(b) relevant organisations representing the interests of <u>non-industrial electricity customers;</u></p> <p>(c) relevant organisations representing the interests of industrial electricity customers [];</p> <p>(d) national regulatory authorities.</p>
<p>AM 62 <i>(d a) transmission and distribution system operators.</i></p>			<p><i>Accept with changes</i> <u>(da) transmission system operators;</u></p>

			<u>(db) relevant distribution system operators.</u>
6. EMERGENCY TESTS		[]	6. EMERGENCY TESTS
(a) Indicate the calendar for the yearly regional (if applicable also national) real time response simulations of electricity crisis situations;		[]	(a) Indicate the calendar for the yearly or biennial regional (if applicable also national) real time response simulations of electricity crisis situations;
(b) In accordance with Article 12(1) d) indicate procedures agreed and the actors involved.		[]	(b) In accordance with Article 12(1) d) indicate procedures agreed and the actors involved.
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.		[]	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.