

Regulation (EC) No 714/2009 of the European Parliament and
of the Council of 13 July 2009 on conditions for access to the
network for cross-border exchanges in electricity and repealing
Regulation (EC) No 1228/2003 (Text with EEA relevance) (repealed)

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ANNEX I

GUIDELINES ON THE MANAGEMENT AND ALLOCATION OF AVAILABLE
TRANSFER CAPACITY OF INTERCONNECTIONS BETWEEN NATIONAL SYSTEMS

1. General Provisions
 - 1.1. Transmission system operators (TSOs) shall endeavour to accept all commercial...
 - 1.2. When there is no congestion, there shall be no restriction...
 - 1.3. Where scheduled commercial transactions are not compatible with secure network...
 - 1.4. If structural congestion appears, appropriate congestion-management methods and arrangements defined...

- 1.5. The methods adopted for congestion management shall give efficient economic...
 - 1.6. No transaction-based distinction shall be applied in congestion management. A...
 - 1.7. When defining appropriate network areas in and between which congestion...
 - 1.8. When balancing the network inside the control area through operational...
 - 1.9. By 1 January 2008, mechanisms for the intra-day congestion management of...
 - 1.10. The national regulatory authorities shall regularly evaluate the congestion-management methods,...
2. Congestion-management methods
 - 2.1. Congestion-management methods shall be market-based in order to facilitate efficient...
 - 2.2. Depending on competition conditions, the congestion-management mechanisms may need to...
 - 2.3. Each capacity-allocation procedure shall allocate a prescribed fraction of the...
 - 2.4. TSOs shall optimise the degree to which capacity is firm,...
 - 2.5. The access rights for long and medium-term allocations shall be...
 - 2.6. TSOs shall define an appropriate structure for the allocation of...
 - 2.7. Capacity allocation shall not discriminate between market participants that wish...
 - 2.8. In regions where forward financial electricity markets are well developed...
 - 2.9. Other than in the case of new interconnectors which benefit...
 - 2.10. In principle, all potential market participants shall be permitted to...
 - 2.11. Market participants shall firmly nominate their use of the capacity...
 - 2.12. Capacity shall be freely tradable on a secondary basis, provided...
 - 2.13. The financial consequences of failure to honour obligations associated with...
3. Coordination
 - 3.1. Capacity allocation at an interconnection shall be coordinated and implemented...
 - 3.2. A common coordinated congestion-management method and procedure for the allocation...
 - 3.3. The regions referred to in point 2.8. may allocate all interconnection...
 - 3.4. Compatible congestion-management procedures shall be defined in all those seven...
 - 3.5. With a view to promoting fair and efficient competition and...
 - 3.6. Coordination shall also include the exchange of information between TSOs....
4. Timetable for market operations
 - 4.1. The allocation of the available transmission capacity shall take place...
 - 4.2. Having full regard to network security, the nomination of transmission...
 - 4.3. Successive intra-day allocations of available transmission capacity for day D...
 - 4.4. When preparing day-ahead network operation, the TSOs shall exchange information...
5. Transparency
 - 5.1. TSOs shall publish all relevant data related to network availability,...
 - 5.2. TSOs shall publish a general description of the congestion-management method...
 - 5.3. The congestion management and capacity-allocation procedures in use, together with...
 - 5.4. The operational and planning security standards shall form an integral...

- 5.5. TSOs shall publish all relevant data concerning cross-border trade on...
 - 5.6. All relevant information shall be available for the market in...
 - 5.7. The TSO shall publish the relevant information on forecast demand...
 - 5.8. When forecasts are published, the ex post realised values for...
 - 5.9. All information published by the TSOs shall be made freely...
 - 5.10. TSOs shall exchange regularly a set of sufficiently accurate network...
6. Use of congestion income
- 6.1. Congestion-management procedures associated with a pre-specified timeframe may generate revenue...
 - 6.2. National regulatory authorities shall be transparent regarding the use of...
 - 6.3. The congestion income shall be shared among the TSOs involved...
 - 6.4. TSOs shall clearly establish beforehand the use they will make...
 - 6.5. On an annual basis, and by 31 July each year, the...
 - 6.6. The use of congestion income for investment to maintain or...

ANNEX II
CORRELATION TABLE

Status: This is the original version (as it was originally adopted).

- (1) [OJ C 211, 19.8.2008, p. 23.](#)
- (2) [OJ C 172, 5.7.2008, p. 55.](#)
- (3) Opinion of the European Parliament of 18 June 2008 (not yet published in the Official Journal), Council Common Position of 9 January 2009 ([OJ C 75 E, 31.3.2009, p. 16](#)) and Position of the European Parliament of 22 April 2009 (not yet published in the Official Journal). Council Decision of 25 June 2009.
- (4) [OJ L 176, 15.7.2003, p. 37.](#)
- (5) [OJ L 176, 15.7.2003, p. 1.](#)
- (6) See page 1 of this Official Journal.
- (7) [OJ L 184, 17.7.1999, p. 23.](#)