

Commission Regulation (EU) 2016/631 of 14 April 2016 establishing a network code on requirements for grid connection of generators (Text with EEA relevance)

TITLE I

GENERAL PROVISIONS

Article 7

Regulatory aspects

1 Requirements of general application to be established by relevant system operators or TSOs under this Regulation shall be subject to approval by [^{F1}the regulatory authority] and be published. ^{F2}....

2 [^{F3}The regulatory authority may determine that] site specific requirements to be established by relevant system operators or TSOs under this Regulation, [^{F4}are to be subject to its approval].

3 When applying this Regulation, [^{F5}the regulatory authority] and system operators shall:

- a apply the principles of proportionality and non-discrimination;
- b ensure transparency;
- c apply the principle of optimisation between the highest overall efficiency and lowest total costs for all parties involved;
- d respect the responsibility assigned to the relevant TSO in order to ensure system security^{F6}...;
- e consult with relevant DSOs and take account of potential impacts on their system;
- f take into consideration [^{F7}applicable] standards and technical specifications.

4 The relevant system operator or TSO shall submit a proposal for requirements of general application, or the methodology used to calculate or establish them, for approval by the [^{F8}regulatory authority] within two years of entry into force of this Regulation.

5 Where this Regulation requires the relevant system operator, relevant TSO, power-generating facility owner and/or the distribution system operator to seek agreement, they shall endeavour to do so within six months after a first proposal has been submitted by one party to the other parties. If no agreement has been found within this time frame, each party may request the ^{F9}... regulatory authority to issue a decision within six months.

6 [^{F10}The regulatory authority] shall take decisions on proposals for requirements or methodologies within six months following the receipt of such proposals.

7 If the relevant system operator or TSO deems an amendment to requirements or methodologies as provided for and approved under paragraph 1 and 2 to be necessary, the requirements provided for in paragraphs 3 to 8 shall apply to the proposed amendment. System operators and TSOs proposing an amendment shall take into account the legitimate expectations, if any, of power-generating facility owners, equipment manufacturers and other stakeholders based on the initially specified or agreed requirements or methodologies.

Changes to legislation: This version of this Regulation was derived from EUR-Lex on IP completion day (31 December 2020 11:00 p.m.). It has not been amended by the UK since then. Find out more about legislation originating from the EU as published on legislation.gov.uk. (See end of Document for details)

8 Any party having a complaint against a relevant system operator or TSO in relation to that relevant system operator's or TSO's obligations under this Regulation may refer the complaint to the regulatory authority which, acting as dispute settlement authority, shall issue a decision within two months after receipt of the complaint. That period may be extended by two months where additional information is sought by the regulatory authority. That extended period may be further extended with the agreement of the complainant. The regulatory authority's decision shall have binding effect unless and until overruled on appeal.

9 Where the requirements under this Regulation are to be established by a relevant system operator that is not a TSO, [^{F11}the regulatory authority] may provide that instead the TSO be responsible for establishing the relevant requirements.

Textual Amendments

- F1** Words in Art. 7(1) substituted (E.W.S.) (31.12.2020) by The Electricity and Gas (Internal Markets and Network Codes) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1006), reg. 1(2), **Sch. 1 para. 7(2)(a)**
- F2** Words in Art. 7(1) omitted (E.W.S.) (31.12.2020) by virtue of The Electricity and Gas (Internal Markets and Network Codes) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1006), reg. 1(2), **Sch. 1 para. 7(2)(b)**
- F3** Words in Art. 7(2) substituted (E.W.S.) (31.12.2020) by The Electricity and Gas (Internal Markets and Network Codes) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1006), reg. 1(2), **Sch. 1 para. 7(3)(a)**
- F4** Words in Art. 7(2) substituted (E.W.S.) (31.12.2020) by The Electricity and Gas (Internal Markets and Network Codes) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1006), reg. 1(2), **Sch. 1 para. 7(3)(b)**
- F5** Words in Art. 7(3) substituted (E.W.S.) (31.12.2020) by The Electricity and Gas (Internal Markets and Network Codes) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1006), reg. 1(2), **Sch. 1 para. 7(4)(a)**
- F6** Words in Art. 7(3)(d) omitted (E.W.S.) (31.12.2020) by virtue of The Electricity and Gas (Internal Markets and Network Codes) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1006), reg. 1(2), **Sch. 1 para. 7(4)(b)**
- F7** Word in Art. 7(3)(f) substituted (E.W.S.) (31.12.2020) by The Electricity and Gas (Internal Markets and Network Codes) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1006), reg. 1(2), **Sch. 1 para. 7(4)(c)**
- F8** Words in Art. 7(4) substituted (E.W.S.) (31.12.2020) by The Electricity and Gas (Internal Markets and Network Codes) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1006), reg. 1(2), **Sch. 1 para. 7(5)**
- F9** Word in Art. 7(5) omitted (E.W.S.) (31.12.2020) by virtue of The Electricity and Gas (Internal Markets and Network Codes) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1006), reg. 1(2), **Sch. 1 para. 7(6)**
- F10** Words in Art. 7(6) substituted (E.W.S.) (31.12.2020) by The Electricity and Gas (Internal Markets and Network Codes) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1006), reg. 1(2), **Sch. 1 para. 7(7)**
- F11** Words in Art. 7(9) substituted (E.W.S.) (31.12.2020) by The Electricity and Gas (Internal Markets and Network Codes) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1006), reg. 1(2), **Sch. 1 para. 7(8)**

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