

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 1

Subject matter

This Regulation establishes a network code which lays down the requirements for grid connection of power-generating facilities, namely synchronous power-generating modules, power park modules and offshore power park modules, to the interconnected system. It, therefore, helps to ensure fair conditions of competition in the internal electricity market, to ensure system security and the integration of renewable electricity sources, and to facilitate Union-wide trade in electricity.

This regulation also lays down the obligations for ensuring that system operators make appropriate use of the power-generating facilities' capabilities in a transparent and non-discriminatory manner to provide a level playing field throughout the Union.

Article 2

Definitions

For the purposes of this Regulation, the definitions in Article 2 of Directive 2012/27/EU of the European Parliament and of the Council⁽¹⁾, Article 2 of Regulation (EC) No 714/2009, Article 2 of Commission Regulation (EU) 2015/1222⁽²⁾, Article 2 of Commission Regulation (EU) No 543/2013⁽³⁾ and Article 2 of Directive 2009/72/EC shall apply.

In addition, the following definitions shall apply:

- (1) 'entity' means a regulatory authority, other national authority, system operator or other public or private body appointed under national law.
- (2) 'synchronous area' means an area covered by synchronously interconnected TSOs, such as the synchronous areas of Continental Europe, Great Britain, Ireland-Northern Ireland and Nordic and the power systems of Lithuania, Latvia and Estonia, together referred to as 'Baltic' which are part of a wider synchronous area;
- (3) 'voltage' means the difference in electrical potential between two points measured as the root-mean-square value of the positive sequence phase-to-phase voltages at fundamental frequency;
- (4) 'apparent power' means the product of voltage and current at fundamental frequency, and the square root of three in the case of three-phase systems, usually expressed in kilovolt-amperes ('kVA') or megavolt-amperes ('MVA');
- (5) 'power-generating module' means either a synchronous power-generating module or a power park module;

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- (6) ‘power-generating facility’ means a facility that converts primary energy into electrical energy and which consists of one or more power-generating modules connected to a network at one or more connection points;
- (7) ‘power-generating facility owner’ means a natural or legal entity owning a power-generating facility;
- (8) ‘main generating plant’ means one or more of the principal items of equipment required to convert the primary source of energy into electricity;
- (9) ‘synchronous power-generating module’ means an indivisible set of installations which can generate electrical energy such that the frequency of the generated voltage, the generator speed and the frequency of network voltage are in a constant ratio and thus in synchronism;
- (10) ‘power-generating module document’ or ‘PGMD’ means a document provided by the power-generating facility owner to the relevant system operator for a type B or C power-generating module which confirms that the power-generating module’s compliance with the technical criteria set out in this Regulation has been demonstrated and provides the necessary data and statements, including a statement of compliance;
- (11) ‘relevant TSO’ means the TSO in whose control area a power-generating module, a demand facility, a distribution system or a HVDC system is or will be connected to the network at any voltage level;
- (12) ‘network’ means a plant and apparatus connected together in order to transmit or distribute electricity;
- (13) ‘relevant system operator’ means the transmission system operator or distribution system operator to whose system a power-generating module, demand facility, distribution system or HVDC system is or will be connected;
- (14) ‘connection agreement’ means a contract between the relevant system operator and either the power-generating facility owner, demand facility owner, distribution system operator or HVDC system owner, which includes the relevant site and specific technical requirements for the power-generating facility, demand facility, distribution system, distribution system connection or HVDC system;
- (15) ‘connection point’ means the interface at which the power-generating module, demand facility, distribution system or HVDC system is connected to a transmission system, offshore network, distribution system, including closed distribution systems, or HVDC system, as identified in the connection agreement;
- (16) ‘maximum capacity’ or ‘Pmax’ means the maximum continuous active power which a power-generating module can produce, less any demand associated solely with facilitating the operation of that power-generating module and not fed into the network as specified in the connection agreement or as agreed between the relevant system operator and the power-generating facility owner;
- (17) ‘power park module’ or ‘PPM’ means a unit or ensemble of units generating electricity, which is either non-synchronously connected to the network or connected through power electronics, and that also has a single connection point to a transmission system, distribution system including closed distribution system or HVDC system;
- (18) ‘offshore power park module’ means a power park module located offshore with an offshore connection point;

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- (19) ‘synchronous compensation operation’ means the operation of an alternator without prime mover to regulate voltage dynamically by production or absorption of reactive power;
- (20) ‘active power’ means the real component of the apparent power at fundamental frequency, expressed in watts or multiples thereof such as kilowatts (‘kW’) or megawatts (‘MW’);
- (21) ‘pump-storage’ means a hydro unit in which water can be raised by means of pumps and stored to be used for the generation of electrical energy;
- (22) ‘frequency’ means the electric frequency of the system expressed in hertz that can be measured in all parts of the synchronous area under the assumption of a consistent value for the system in the time frame of seconds, with only minor differences between different measurement locations. Its nominal value is 50Hz;
- (23) ‘droop’ means the ratio of a steady-state change of frequency to the resulting steady-state change in active power output, expressed in percentage terms. The change in frequency is expressed as a ratio to nominal frequency and the change in active power expressed as a ratio to maximum capacity or actual active power at the moment the relevant threshold is reached;
- (24) ‘minimum regulating level’ means the minimum active power, as specified in the connection agreement or as agreed between the relevant system operator and the power-generating facility owner, down to which the power-generating module can control active power;
- (25) ‘setpoint’ means the target value for any parameter typically used in control schemes;
- (26) ‘instruction’ means any command, within its authority, given by a system operator to a power-generating facility owner, demand facility owner, distribution system operator or HVDC system owner in order to perform an action;
- (27) ‘secured fault’ means a fault which is successfully cleared according to the system operator's planning criteria;
- (28) ‘reactive power’ means the imaginary component of the apparent power at fundamental frequency, usually expressed in kilovar (‘kVAr’) or megavar (‘MVar’);
- (29) ‘fault-ride-through’ means the capability of electrical devices to be able to remain connected to the network and operate through periods of low voltage at the connection point caused by secured faults;
- (30) ‘alternator’ means a device that converts mechanical energy into electrical energy by means of a rotating magnetic field;
- (31) ‘current’ means the rate at which electric charge flows which is measured by the root-mean-square value of the positive sequence of the phase current at fundamental frequency;
- (32) ‘stator’ means the portion of a rotating machine which includes the stationary magnetic parts with their associated windings;
- (33) ‘inertia’ means the property of a rotating rigid body, such as the rotor of an alternator, such that it maintains its state of uniform rotational motion and angular momentum unless an external torque is applied;

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- (34) ‘synthetic inertia’ means the facility provided by a power park module or HVDC system to replace the effect of inertia of a synchronous power-generating module to a prescribed level of performance;
- (35) ‘frequency control’ means the capability of a power-generating module or HVDC system to adjust its active power output in response to a measured deviation of system frequency from a setpoint, in order to maintain stable system frequency;
- (36) ‘frequency sensitive mode’ or ‘FSM’ means the operating mode of a power-generating module or HVDC system in which the active power output changes in response to a change in system frequency, in such a way that it assists with the recovery to target frequency;
- (37) ‘limited frequency sensitive mode — overfrequency’ or ‘LFSM-O’ means a power-generating module or HVDC system operating mode which will result in active power output reduction in response to a change in system frequency above a certain value;
- (38) ‘limited frequency sensitive mode — underfrequency’ ‘LFSM-U’ means a power-generating module or HVDC system operating mode which will result in active power output increase in response to a change in system frequency below a certain value;
- (39) ‘frequency response deadband’ means an interval used intentionally to make the frequency control unresponsive;
- (40) ‘frequency response insensitivity’ means the inherent feature of the control system specified as the minimum magnitude of change in the frequency or input signal that results in a change of output power or output signal;
- (41) ‘P-Q-capability diagram’ means a diagram describing the reactive power capability of a power-generating module in the context of varying active power at the connection point;
- (42) ‘steady-state stability’ means the ability of a network or a synchronous power-generating module to revert and maintain stable operation following a minor disturbance;
- (43) ‘island operation’ means the independent operation of a whole network or part of a network that is isolated after being disconnected from the interconnected system, having at least one power-generating module or HVDC system supplying power to this network and controlling the frequency and voltage;
- (44) ‘houseload operation’ means the operation which ensures that power-generating facilities are able to continue to supply their in-house loads in the event of network failures resulting in power-generating modules being disconnected from the network and tripped onto their auxiliary supplies;
- (45) ‘black start capability’ means the capability of recovery of a power-generating module from a total shutdown through a dedicated auxiliary power source without any electrical energy supply external to the power-generating facility;
- (46) ‘authorised certifier’ means an entity that issues equipment certificates and power-generating module documents and whose accreditation is given by the national affiliate of the European cooperation for Accreditation (‘EA’), established in accordance with Regulation (EC) No 765/2008 of the European Parliament and of the Council⁽⁴⁾;

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- (47) ‘equipment certificate’ means a document issued by an authorised certifier for equipment used by a power-generating module, demand unit, distribution system, demand facility or HVDC system. The equipment certificate defines the scope of its validity at a national or other level at which a specific value is selected from the range allowed at a European level. For the purpose of replacing specific parts of the compliance process, the equipment certificate may include models that have been verified against actual test results;
- (48) ‘excitation control system’ means a feedback control system that includes the synchronous machine and its excitation system;
- (49) ‘U-Q/Pmax-profile’ means a profile representing the reactive power capability of a power-generating module or HVDC converter station in the context of varying voltage at the connection point;
- (50) ‘minimum stable operating level’ means the minimum active power, as specified in the connection agreement or as agreed between the relevant system operator and the power-generating facility owner, at which the power-generating module can be operated stably for an unlimited time;
- (51) ‘overexcitation limiter’ means a control device within the AVR which prevents the rotor of an alternator from overloading by limiting the excitation current;
- (52) ‘underexcitation limiter’ means a control device within the AVR, the purpose of which is to prevent the alternator from losing synchronism due to lack of excitation;
- (53) ‘automatic voltage regulator’ or ‘AVR’ means the continuously acting automatic equipment controlling the terminal voltage of a synchronous power-generating module by comparing the actual terminal voltage with a reference value and controlling the output of an excitation control system;
- (54) ‘power system stabiliser’ or ‘PSS’ means an additional functionality of the AVR of a synchronous power-generating module whose purpose is to damp power oscillations;
- (55) ‘fast fault current’ means a current injected by a power park module or HVDC system during and after a voltage deviation caused by an electrical fault with the aim of identifying a fault by network protection systems at the initial stage of the fault, supporting system voltage retention at a later stage of the fault and system voltage restoration after fault clearance;
- (56) ‘power factor’ means the ratio of the absolute value of active power to apparent power;
- (57) ‘slope’ means the ratio of the change in voltage, based on reference 1 pu voltage, to a change in reactive power in-feed from zero to maximum reactive power, based on maximum reactive power;
- (58) ‘offshore grid connection system’ means the complete interconnection between an offshore connection point and the onshore system at the onshore grid interconnection point;
- (59) ‘onshore grid interconnection point’ means the point at which the offshore grid connection system is connected to the onshore network of the relevant system operator;
- (60) ‘installation document’ means a simple structured document containing information about a type A power-generating module or a demand unit, with demand response

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connected below 1 000 V, and confirming its compliance with the relevant requirements;

- (61) ‘statement of compliance’ means a document provided by the power-generating facility owner, demand facility owner, distribution system operator or HVDC system owner to the system operator stating the current status of compliance with the relevant specifications and requirements;
- (62) ‘final operational notification’ or ‘FON’ means a notification issued by the relevant system operator to a power-generating facility owner, demand facility owner, distribution system operator or HVDC system owner who complies with the relevant specifications and requirements, allowing them to operate respectively a power-generating module, demand facility, distribution system or HVDC system by using the grid connection;
- (63) ‘energisation operational notification’ or ‘EON’ means a notification issued by the relevant system operator to a power-generating facility owner, demand facility owner, distribution system operator or HVDC system owner prior to energisation of its internal network;
- (64) ‘interim operational notification’ or ‘ION’ means a notification issued by the relevant system operator to a power-generating facility owner, demand facility owner, distribution system operator or HVDC system owner which allows them to operate respectively a power-generating module, demand facility, distribution system or HVDC system by using the grid connection for a limited period of time and to initiate compliance tests to ensure compliance with the relevant specifications and requirements;
- (65) ‘limited operational notification’ or ‘LON’ means a notification issued by the relevant system operator to a power-generating facility owner, demand facility owner, distribution system operator or HVDC system owner who had previously attained FON status but is temporarily subject to either a significant modification or loss of capability resulting in non-compliance with the relevant specifications and requirements.

Article 3

Scope of application

1 The connection requirements set out in this Regulation shall apply to new power-generating modules which are considered significant in accordance with Article 5, unless otherwise provided.

The relevant system operator shall refuse to allow the connection of a power-generating module which does not comply with the requirements set out in this Regulation and which is not covered by a derogation granted by the regulatory authority, or other authority where applicable in a Member State pursuant to Article 60. The relevant system operator shall communicate such refusal, by means of a reasoned statement in writing, to the power-generating facility owner and, unless specified otherwise by the regulatory authority, to the regulatory authority.

2 This Regulation shall not apply to:

- a power-generating modules connected to the transmission system and distribution systems, or to parts of the transmission system or distribution systems, of islands

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- of Member States of which the systems are not operated synchronously with either the Continental Europe, Great Britain, Nordic, Ireland and Northern Ireland or Baltic synchronous area;
- b power-generating modules that were installed to provide back-up power and operate in parallel with the system for less than five minutes per calendar month while the system is in normal system state. Parallel operation during maintenance or commissioning tests of that power-generating module shall not count towards the five-minute limit;
 - c power-generating modules that do not have a permanent connection point and are used by the system operators to temporarily provide power when normal system capacity is partly or completely unavailable;
 - d storage devices except for pump-storage power-generating modules in accordance with Article 6(2).

Article 4

Application to existing power-generating modules

1 Existing power-generating modules are not subject to the requirements of this Regulation, except where:

- a a type C or type D power-generating module has been modified to such an extent that its connection agreement must be substantially revised in accordance with the following procedure:
 - (i) power-generating facility owners who intend to undertake the modernisation of a plant or replacement of equipment impacting the technical capabilities of the power-generating module shall notify their plans to the relevant system operator in advance;
 - (ii) if the relevant system operator considers that the extent of the modernisation or replacement of equipment is such that a new connection agreement is required, the system operator shall notify the relevant regulatory authority or, where applicable, the Member State; and
 - (iii) the relevant regulatory authority or, where applicable, the Member State shall decide if the existing connection agreement needs to be revised or a new connection agreement is required and which requirements of this Regulation shall apply; or
- b a regulatory authority or, where applicable, a Member State decides to make an existing power-generating module subject to all or some of the requirements of this Regulation, following a proposal from the relevant TSO in accordance with paragraphs 3, 4 and 5.

2 For the purposes of this Regulation, a power-generating module shall be considered existing if:

- a it is already connected to the network on the date of entry into force of this Regulation; or
- b the power-generating facility owner has concluded a final and binding contract for the purchase of the main generating plant by two years after the entry into force of the Regulation. The power-generating facility owner must notify the relevant system operator and relevant TSO of conclusion of the contract within 30 months after the entry into force of the Regulation.

The notification submitted by the power-generating facility owner to the relevant system operator and to the relevant TSO shall at least indicate the contract title, its date of

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signature and date of entry into force and the specifications of the main generating plant to be constructed, assembled or purchased.

A Member State may provide that in specified circumstances the regulatory authority may determine whether the power-generating module is to be considered an existing power-generating module or a new power-generating module.

3 Following a public consultation in accordance with Article 10 and in order to address significant factual changes in circumstances, such as the evolution of system requirements including penetration of renewable energy sources, smart grids, distributed generation or demand response, the relevant TSO may propose to the regulatory authority concerned, or where applicable, to the Member State to extend the application of this Regulation to existing power-generating modules.

For that purpose a sound and transparent quantitative cost-benefit analysis shall be carried out, in accordance with Articles 38 and 39. The analysis shall indicate:

- a the costs, in regard to existing power-generating modules, of requiring compliance with this Regulation;
- b the socioeconomic benefit resulting from applying the requirements set out in this Regulation; and
- c the potential of alternative measures to achieve the required performance.

4 Before carrying out the quantitative cost-benefit analysis referred to in paragraph 3, the relevant TSO shall:

- a carry out a preliminary qualitative comparison of costs and benefits;
- b obtain approval from the relevant regulatory authority or, where applicable, the Member State.

5 The relevant regulatory authority or, where applicable, the Member State shall decide on the extension of the applicability of this Regulation to existing power-generating modules within six months of receipt of the report and the recommendation of the relevant TSO in accordance with Article 38(4). The decision of the regulatory authority or, where applicable, the Member State shall be published.

6 The relevant TSO shall take account of the legitimate expectations of power-generating facility owners as part of the assessment of the application of this Regulation to existing power-generating modules.

7 The relevant TSO may assess the application of some or all of the provisions of this Regulation to existing power-generating modules every three years in accordance with the criteria and process set out in paragraphs 3 to 5.

Article 5

Determination of significance

1 The power-generating modules shall comply with the requirements on the basis of the voltage level of their connection point and their maximum capacity according to the categories set out in paragraph 2.

2 Power-generating modules within the following categories shall be considered as significant:

- a connection point below 110 kV and maximum capacity of 0,8 kW or more (type A);

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- b connection point below 110 kV and maximum capacity at or above a threshold proposed by each relevant TSO in accordance with the procedure laid out in paragraph 3 (type B). This threshold shall not be above the limits for type B power-generating modules contained in Table 1;
- c connection point below 110 kV and maximum capacity at or above a threshold specified by each relevant TSO in accordance with paragraph 3 (type C). This threshold shall not be above the limits for type C power-generating modules contained in Table 1; or
- d connection point at 110 kV or above (type D). A power-generating module is also of type D if its connection point is below 110 kV and its maximum capacity is at or above a threshold specified in accordance with paragraph 3. This threshold shall not be above the limit for type D power-generating modules contained in Table 1.

TABLE 1

Limits for thresholds for type B, C and D power-generating modules

Synchronous areas	Limit for maximum capacity threshold from which a power-generating module is of type B	Limit for maximum capacity threshold from which a power-generating module is of type C	Limit for maximum capacity threshold from which a power-generating module is of type D
Continental Europe	1 MW	50 MW	75 MW
Great Britain	1 MW	50 MW	75 MW
Nordic	1,5 MW	10 MW	30 MW
Ireland and Northern Ireland	0,1 MW	5 MW	10 MW
Baltic	0,5 MW	10 MW	15 MW

3 Proposals for maximum capacity thresholds for types B, C and D power-generating modules shall be subject to approval by the relevant regulatory authority or, where applicable, the Member State. In forming proposals the relevant TSO shall coordinate with adjacent TSOs and DSOs and shall conduct a public consultation in accordance with Article 10. A proposal by the relevant TSO to change the thresholds shall not be made sooner than three years after the previous proposal.

4 Power-generating facility owners shall assist this process and provide data as requested by the relevant TSO.

5 If, as a result of modification of the thresholds, a power-generating module qualifies under a different type, the procedure laid down in Article 4(3) concerning existing power-generating modules shall apply before compliance with the requirements for the new type is required.

*Article 6***Application to power-generating modules, pump-storage power-generating modules, combined heat and power facilities, and industrial sites**

1 Offshore power-generating modules connected to the interconnected system shall meet the requirements for onshore power-generating modules, unless the requirements are

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modified for this purpose by the relevant system operator or unless the connection of power park modules is via a high voltage direct current connection or via a network whose frequency is not synchronously coupled to that of the main interconnected system (such as via a back-to-back convertor scheme).

2 Pump-storage power-generating modules shall fulfil all the relevant requirements in both generating and pumping operation mode. Synchronous compensation operation of pump-storage power-generating modules shall not be limited in time by the technical design of power-generating modules. Pump-storage variable speed power-generating modules shall fulfil the requirements applicable to synchronous power-generating modules as well as those set out in point (b) of Article 20(2), if they qualify as type B, C or D.

3 With respect to power-generating modules embedded in the networks of industrial sites, power-generating facility owners, system operators of industrial sites and relevant system operators whose network is connected to the network of an industrial site shall have the right to agree on conditions for disconnection of such power-generating modules together with critical loads, which secure production processes, from the relevant system operator's network. The exercise of this right shall be coordinated with the relevant TSO.

4 Except for requirements under paragraphs 2 and 4 of Article 13 or where otherwise stated in the national framework, requirements of this Regulation relating to the capability to maintain constant active power output or to modulate active power output shall not apply to power-generating modules of facilities for combined heat and power production embedded in the networks of industrial sites, where all of the following criteria are met:

- a the primary purpose of those facilities is to produce heat for production processes of the industrial site concerned;
- b heat and power-generating is inextricably interlinked, that is to say any change of heat generation results inadvertently in a change of active power-generating and vice versa;
- c the power-generating modules are of type A, B, C or, in the case of the Nordic synchronous area, type D in accordance with points (a) to (c) of Article 5(2).

5 Combined heat and power-generating facilities shall be assessed on the basis of their electrical maximum capacity.

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 the entity designated by the Member State and be published. The designated entity shall be the regulatory authority unless otherwise provided by the Member State.

2 For site specific requirements to be established by relevant system operators or TSOs under this Regulation, Member States may require approval by a designated entity.

3 When applying this Regulation, Member States, competent entities 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;

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- d respect the responsibility assigned to the relevant TSO in order to ensure system security, including as required by national legislation;
- e consult with relevant DSOs and take account of potential impacts on their system;
- f take into consideration agreed European 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 competent entity 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 relevant regulatory authority to issue a decision within six months.

6 Competent entities 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.

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, Member States may provide that instead the TSO be responsible for establishing the relevant requirements.

Article 8

Multiple TSOs

1 Where more than one TSO exists in a Member State, this Regulation shall apply to all those TSOs.

2 Member States may, under the national regulatory regime, provide that the responsibility of a TSO to comply with one or some or all obligations under this Regulation is assigned to one or more specific TSOs.

Article 9

Recovery of costs

1 The costs borne by system operators subject to network tariff regulation and stemming from the obligations laid down in this Regulation shall be assessed by the relevant regulatory

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authorities. Costs assessed as reasonable, efficient and proportionate shall be recovered through network tariffs or other appropriate mechanisms.

2 If requested by the relevant regulatory authorities, system operators referred to in paragraph 1 shall, within three months of the request, provide the information necessary to facilitate assessment of the costs incurred.

Article 10

Public consultation

1 Relevant system operators and relevant TSOs shall carry out consultation with stakeholders, including the competent authorities of each Member State, on proposals to extend the applicability of this Regulation to existing power-generating modules in accordance with Article 4(3), for the proposal for thresholds in accordance with Article 5(3), and on the report prepared in accordance with Article 38(3) and the cost-benefit analysis undertaken in accordance with Article 63(2). The consultation shall last at least for a period of one month.

2 The relevant system operators or relevant TSOs shall duly take into account the views of the stakeholders resulting from the consultations prior to the submission of the draft proposal for thresholds, the report or cost benefit analysis for approval by the regulatory authority or, if applicable, the Member State. In all cases, a sound justification for including or not the views of the stakeholders shall be provided and published in a timely manner before, or simultaneously with, the publication of the proposal.

Article 11

Stakeholder involvement

The Agency for the Cooperation of Energy Regulators (the Agency), in close cooperation with the European Network of Transmission System Operators for Electricity (ENTSO for Electricity), shall organise stakeholder involvement regarding the requirements for grid connection of power-generating facilities, and other aspects of the implementation of this Regulation. This shall include regular meetings with stakeholders to identify problems and propose improvements notably related to the requirements for grid connection of power-generating facilities.

Article 12

Confidentiality obligations

1 Any confidential information received, exchanged or transmitted pursuant to this Regulation shall be subject to the conditions of professional secrecy laid down in paragraphs 2, 3 and 4.

2 The obligation of professional secrecy shall apply to any persons, regulatory authorities or entities subject to the provisions of this Regulation.

3 Confidential information received by the persons, regulatory authorities or entities referred to in paragraph 2 in the course of their duties may not be divulged to any other person or authority, without prejudice to cases covered by national law, the other provisions of this Regulation or other relevant Union law.

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4 Without prejudice to cases covered by national or Union law, regulatory authorities, entities or persons who receive confidential information pursuant to this Regulation may use it only for the purpose of carrying out their duties under this Regulation.

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- (1) Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC ([OJ L 315, 14.11.2012, p. 1](#)).
- (2) 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](#)).
- (3) Commission Regulation (EU) No 543/2013 of 14 June 2013 on submission and publication of data in electricity markets and amending Annex I to Regulation (EC) No 714/2009 of the European Parliament and of the Council ([OJ L 163, 15.6.2013, p. 1](#)).
- (4) Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 ([OJ L 218, 13.8.2008, p. 30](#)).

Changes to legislation:

There are outstanding changes not yet made to Commission Regulation (EU) 2016/631. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulation revoked by [S.I. 2019/533 reg. 5\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). Reg. 5 revoked on the day before IP completion day by [S.I. 2019/1104](#), regs. 1(2), 2)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Title 4 Ch. 8 omitted by [S.I. 2020/1006 Sch. 1 para. 28](#)
- Signature words omitted by [S.I. 2020/1006 Sch. 1 para. 41](#)
- Art. 2(1) word omitted by [S.I. 2020/1006 Sch. 1 para. 2\(3\)\(a\)\(i\)](#)
- Art. 2(1) words substituted by [S.I. 2020/1006 Sch. 1 para. 2\(3\)\(a\)\(ii\)](#)
- Art. 2(2) words omitted by [S.I. 2020/1006 Sch. 1 para. 2\(3\)\(b\)](#)
- Art. 2(46) words substituted by [S.I. 2020/1006 Sch. 1 para. 2\(3\)\(c\)](#)
- Art. 2(47) words inserted by [S.I. 2020/1006 Sch. 1 para. 2\(3\)\(d\)\(ii\)](#)
- Art. 2(47) words omitted by [S.I. 2020/1006 Sch. 1 para. 2\(3\)\(d\)\(i\)](#)
- Art. 2(66)-(69) inserted by [S.I. 2020/1006 Sch. 1 para. 2\(3\)\(e\)](#)
- Art. 3(2)(a) words substituted by [S.I. 2020/1006 Sch. 1 para. 3\(3\)](#)
- Art. 4(1)(a)(iii) word omitted by [S.I. 2020/1006 Sch. 1 para. 4\(2\)\(b\)\(i\)](#)
- Art. 4(1)(a)(iii) words omitted by [S.I. 2020/1006 Sch. 1 para. 4\(2\)\(b\)\(ii\)](#)
- Art. 4(1)(a)(ii) word omitted by [S.I. 2020/1006 Sch. 1 para. 4\(2\)\(a\)\(i\)](#)
- Art. 4(1)(a)(ii) words omitted by [S.I. 2020/1006 Sch. 1 para. 4\(2\)\(a\)\(ii\)](#)
- Art. 4(1)(b) words substituted by [S.I. 2020/1006 Sch. 1 para. 4\(2\)\(c\)](#)
- Art. 4(2)(b) words substituted by [S.I. 2020/1006 Sch. 1 para. 4\(3\)\(a\)\(i\)](#)
- Art. 4(2)(b) words substituted by [S.I. 2020/1006 Sch. 1 para. 4\(3\)\(a\)\(ii\)](#)
- Art. 4(2)(b) words substituted by [S.I. 2020/1006 Sch. 1 para. 4\(3\)\(a\)\(iii\)](#)
- Art. 4(4)(b) word omitted by [S.I. 2020/1006 Sch. 1 para. 4\(5\)\(a\)](#)
- Art. 4(4)(b) words omitted by [S.I. 2020/1006 Sch. 1 para. 4\(5\)\(b\)](#)
- Art. 5(2)(a) word substituted by [S.I. 2020/1006 Sch. 1 para. 5\(2\)\(a\)](#)
- Art. 6(4)(c) words substituted by [S.I. 2020/1006 Sch. 1 para. 6](#)
- Art. 7(3)(d) words omitted by [S.I. 2020/1006 Sch. 1 para. 7\(4\)\(b\)](#)
- Art. 7(3)(f) word substituted by [S.I. 2020/1006 Sch. 1 para. 7\(4\)\(c\)](#)
- Art. 13(2)(b) word omitted by [S.I. 2020/1006 Sch. 1 para. 13\(3\)\(a\)](#)
- Art. 13(2)(c) word substituted by [S.I. 2020/1006 Sch. 1 para. 13\(3\)\(b\)\(i\)](#)
- Art. 13(2)(c) word substituted by [S.I. 2020/1006 Sch. 1 para. 13\(3\)\(b\)\(ii\)](#)
- Art. 13(4)(b) word substituted by [S.I. 2020/1006 Sch. 1 para. 13\(4\)](#)
- Art. 15(2)(c)(i) word substituted by [S.I. 2020/1006 Sch. 1 para. 15\(2\)\(a\)\(i\)](#)
- Art. 15(2)(c)(i) word substituted by [S.I. 2020/1006 Sch. 1 para. 15\(2\)\(a\)\(ii\)](#)
- Art. 15(2)(d)(vii) word omitted by [S.I. 2020/1006 Sch. 1 para. 15\(2\)\(c\)\(i\)](#)
- Art. 15(2)(d)(vii) word omitted by [S.I. 2020/1006 Sch. 1 para. 15\(2\)\(c\)\(ii\)](#)
- Art. 15(5)(a)(i) words substituted by [S.I. 2020/1006 Sch. 1 para. 15\(3\)](#)
- Art. 15(6)(c)(i) words substituted by [S.I. 2020/1006 Sch. 1 para. 15\(4\)](#)
- Art. 16(2)(a)(v) omitted by [S.I. 2020/1006 Sch. 1 para. 16\(2\)\(b\)](#)
- Art. 16(2)(a)(iii) omitted by [S.I. 2020/1006 Sch. 1 para. 16\(2\)\(a\)](#)
- Art. 21(3)(d)(iii) word substituted by [S.I. 2020/1006 Sch. 1 para. 18\(e\)](#)
- Art. 21(3)(d)(ii) word substituted by [S.I. 2020/1006 Sch. 1 para. 18\(d\)\(aa\)](#)
- Art. 21(3)(d)(ii) word substituted by [S.I. 2020/1006 Sch. 1 para. 18\(d\)\(bb\)](#)
- Art. 21(3)(d)(ii) word substituted by [S.I. 2020/1006 Sch. 1 para. 18\(d\)\(cc\)](#)
- Art. 21(3)(d)(ii) word substituted by [S.I. 2020/1006 Sch. 1 para. 18\(d\)\(dd\)](#)
- Art. 21(3)(d)(vi) word substituted by [S.I. 2020/1006 Sch. 1 para. 18\(f\)](#)

- Art. 38(3)(b) words omitted by [S.I. 2020/1006 Sch. 1 para. 22\(2\)](#)
- Art. 39(2)(c) words substituted by [S.I. 2020/1006 Sch. 1 para. 23](#)
- Art. 43(2)(a) words substituted by [S.I. 2020/1006 Sch. 1 para. 25](#)
- Art. 48(7)(c)(ii) word substituted by [S.I. 2020/1006 Sch. 1 para. 26](#)
- Art. 53(2)(c)(ii) word substituted by [S.I. 2020/1006 Sch. 1 para. 27](#)
- Art. 66(2)(c) words substituted by [S.I. 2020/1006 Sch. 1 para. 35](#)