

Regulation (EU) 2019/941 of the European Parliament and of the Council of 5 June 2019 on risk-preparedness in the electricity sector and repealing Directive 2005/89/EC (Text with EEA relevance)

CHAPTER I

General Provisions

Article 1

Subject matter

This Regulation lays down rules for cooperation between Member States with a view to preventing, preparing for and managing electricity crises in a spirit of solidarity and transparency and in full regard for the requirements of a competitive internal market for electricity.

Article 2

Definitions

For the purposes of this Regulation, the following definitions apply:

- (1) ‘security of electricity supply’ means the ability of an electricity system to guarantee the supply of electricity to customers with a clearly established level of performance, as determined by the Member States concerned;
- (2) ‘transmission system operator’ means transmission system operator as defined in point (35) of Article 2 of Directive (EU) 2019/944;
- (3) ‘distribution’ means distribution as defined in point (28) of Article 2 of Directive (EU) 2019/944;
- (4) ‘cross-border flow’ means cross-border flow as defined in point (3) of Article 2 of Regulation (EU) 2019/943;
- (5) ‘cross zonal capacity’ means the capability of the interconnected system to accommodate energy transfer between bidding zones;
- (6) ‘customer’ means customer as defined in point (1) of Article 2 of Directive (EU) 2019/944;
- (7) ‘distribution system operator’ means distribution system operator as defined in point (29) of Article 2 of Directive (EU) 2019/944;
- (8) ‘generation’ means generation as defined in point (37) of Article 2 of Directive (EU) 2019/944;
- (9) ‘electricity crisis’ means a present or imminent situation in which there is a significant electricity shortage, as determined by the Member States and described in their risk-preparedness plans, or in which it is impossible to supply electricity to customers;

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- (10) ‘simultaneous electricity crisis’ means an electricity crisis affecting more than one Member State at the same time;
- (11) ‘competent authority’ means a national governmental authority or a regulatory authority designated by a Member State in accordance with Article 3;
- (12) ‘regulatory authorities’ means regulatory authorities referred to in Article 57(1) of Directive (EU) 2019/944;
- (13) ‘crisis coordinator’ means a person, a group of persons, a team composed of the relevant national electricity crisis managers or an institution tasked with acting as a contact point and coordinating the information flow during an electricity crisis;
- (14) ‘non-market-based measure’ means any supply- or demand-side measure that deviates from market rules or commercial agreements, the purpose of which is to mitigate an electricity crisis;
- (15) ‘producer’ means producer as defined in point (38) of Article 2 of Directive (EU) 2019/944;
- (16) ‘region’ means a group of Member States whose transmission system operators share the same regional coordination centre as referred to in Article 36 of Regulation (EU) 2019/943;
- (17) ‘subgroup’ means a group of Member States, within a region, which have the technical ability to provide each other assistance in accordance with Article 15;
- (18) ‘early warning’ means a provision of concrete, serious, reliable information indicating that an event may occur which is likely to result in a significant deterioration of the electricity supply situation and is likely to lead to electricity crisis;
- (19) ‘transmission’ means transmission as defined in point (34) of Article 2 of Directive (EU) 2019/944;
- (20) ‘electricity undertaking’ means electricity undertaking as defined in point (57) of Article 2 of Directive (EU) 2019/944;
- (21) ‘capacity allocation’ means the attribution of cross zonal capacity;
- (22) ‘energy from renewable sources’ means energy from renewable sources or renewable energy as defined in point (31) of Article 2 of Directive (EU) 2019/944.

Article 3

Competent authority

1 As soon as possible and in any event by 5 January 2020, each Member State shall designate a national governmental or regulatory authority as its competent authority. The competent authorities shall be responsible for, and shall cooperate with each other for the purposes of, carrying out the tasks provided for in this Regulation. Where appropriate, until the competent authority has been designated, the national entities responsible for the security of electricity supply shall carry out the tasks of the competent authority in accordance with this Regulation.

2 Member States shall, without delay, notify the Commission and the ECG and make public the name and the contact details of their competent authorities designated pursuant to paragraph 1 and any changes to their name or contact details.

3 Member States may allow the competent authority to delegate the operational tasks regarding risk-preparedness planning and risk management set out 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 point (b) of Article 11(1).

CHAPTER II

Risk assessment

Article 4

Assessment of risks to security of electricity supply

Each competent authority shall ensure that all relevant risks relating to security of electricity supply are assessed in accordance with the rules laid down in this Regulation and in Chapter IV of Regulation (EU) 2019/943. To that end, it shall cooperate with transmission system operators, distribution system operators, regulatory authorities, the ENTSO for Electricity, regional coordination centres and other relevant stakeholders, as required.

Article 5

Methodology for identifying regional electricity crisis scenarios

1 By 5 January 2020, the ENTSO for Electricity shall submit to ACER a proposal for a methodology for identifying the most relevant regional electricity crisis scenarios.

2 The proposed methodology shall identify electricity crisis scenarios in relation to system adequacy, system security and fuel security on the basis of at least the following risks:

- a rare and extreme natural hazards;
- b accidental hazards going beyond the N-1 security criterion and exceptional contingencies;
- c consequential hazards including the consequences of malicious attacks and of fuel shortages.

3 The proposed methodology shall include at least the following elements:

- a a consideration of all relevant national and regional circumstances, including any subgroups;
- b interaction and correlation of risks across borders;
- c simulations of simultaneous electricity crisis scenarios;
- d ranking of risks according to their impact and probability;
- e principles on how to handle sensitive information in a manner that ensures transparency towards the public.

4 When considering the risks of disruption of gas supply in the context of identifying the risks pursuant to point (c) of paragraph 2 of this Article, the ENTSO for Electricity shall use the natural gas supply and infrastructure disruption scenarios developed by ENTSOG pursuant to Article 7 of Regulation (EU) 2017/1938.

5 Before submitting the proposed methodology to ACER, the ENTSO for Electricity shall conduct a consultation involving at least the regional coordination centres, industry and

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consumer organisations, producers or their trade bodies, transmission system operators and relevant distribution system operators, competent authorities, regulatory authorities and other relevant national authorities. The ENTSO for Electricity shall duly take into account the results of the consultation and present them, together with the proposed methodology, at a meeting of the ECG.

6 Within two months of receipt of the proposed methodology, ACER shall, after consulting the ECG, in its formation composed only of representatives of the Member States, approve or amend the proposal. The ENTSO for Electricity and ACER shall publish the final version of the methodology on their websites.

7 The ENTSO for Electricity shall update and improve the methodology in accordance with paragraphs 1 to 6 where significant new information becomes available. The ECG in its formation composed only of representatives of the Member States may recommend, and ACER or the Commission may request, such updates and improvements with due justification. Within six months of receipt of the request, the ENTSO for Electricity shall submit to ACER a draft of the proposed changes. Within two months of receipt of such a draft, ACER shall, after consulting the ECG, in its formation composed only of representatives of the Member States, approve or amend the proposed changes. The ENTSO for Electricity and ACER shall publish the final version of the updated methodology on their websites.

Article 6

Identification of regional electricity crisis scenarios

1 Within six months of the approval of a methodology pursuant to Article 5(6), the ENTSO for Electricity shall, on the basis of that methodology and in close cooperation with the ECG, regional coordination centres, competent authorities and regulatory authorities, identify the most relevant electricity crisis scenarios for each region. It may delegate tasks relating to the identification of regional electricity crisis scenarios to the regional coordination centres.

2 The ENTSO for Electricity shall submit the regional electricity crisis scenarios to the relevant transmission system operators, regional coordination centres, competent authorities and regulatory authorities as well as to the ECG. The ECG may recommend amendments.

3 The ENTSO for Electricity shall update the regional electricity crisis scenarios every four years, unless circumstances warrant more frequent updates.

Article 7

Identification of national electricity crisis scenarios

1 Within four months of the identification of the regional electricity crisis scenarios in accordance with Article 6(1), the competent authority shall identify the most relevant national electricity crisis scenarios.

2 In identifying the national electricity crisis scenarios, the competent authority shall consult the transmission system operators, the distribution system operators that the competent authority considers to be relevant, the relevant producers or their trade bodies, and the regulatory authority where it is not the competent authority.

3 The national electricity 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 electricity crisis scenarios identified in accordance with Article 6(1). Member States shall update the

national electricity crisis scenarios every four years, unless circumstances warrant more frequent updates.

4 Within four months of identification of regional electricity crisis scenarios in accordance with Article 6(1), Member States shall inform the ECG and the Commission of their assessment of the risks in relation to the ownership of infrastructure relevant for security of electricity supply, and any measures taken to prevent or mitigate such risks, with an indication of why such measures are considered necessary and proportionate.

Article 8

Methodology for short-term and seasonal adequacy assessments

1 By 5 January 2020, the ENTSO for Electricity shall submit to ACER 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:

- 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, variable demand, in particular peaks depending on weather conditions, and variability of production of energy from renewable sources;
- b the probability of the occurrence of an electricity crisis;
- c the probability of the occurrence of a simultaneous electricity crisis.

2 The methodology referred to in paragraph 1 shall provide for a probabilistic approach, including multiple scenarios, and shall take into account the national, regional and Union context, including the level of interconnection between Member States and, to the extent possible, third 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.

3 Before submitting the proposed methodology, the ENTSO for Electricity shall conduct a consultation involving at least the regional coordination centres, industry and consumer organisations, producers or their trade bodies, transmission system operators, relevant distribution system operators, competent authorities, regulatory authorities and other relevant national authorities. The ENTSO for Electricity shall duly take into account the results of the consultation and present them, together with the proposed methodology, at a meeting of the ECG.

4 Within two months of receipt of the proposed methodology, ACER shall, after consulting the ECG in its formation composed only of representatives of the Member States, approve or amend the proposal. The ENTSO for Electricity and ACER shall publish the final version of the methodology on their websites.

5 The ENTSO for Electricity shall update and improve the methodology in accordance with paragraphs 1 to 4 where significant new information becomes available. The ECG in its formation composed only of representatives of the Member States may recommend, and ACER or the Commission may request, such updates and improvements with due justification. Within six months of receipt of the request, the ENTSO for Electricity shall submit to ACER a draft of the proposed changes. Within two months of receipt of such a draft, ACER shall, after consulting the ECG, in its formation composed only of representatives of the Member States, approve or amend the proposed changes. The ENTSO for Electricity and ACER shall publish the final version of the updated methodology on their websites.

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Article 9

Short-term and seasonal adequacy assessments

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.

2 The ENTSO for Electricity shall carry out seasonal adequacy assessments in accordance with the methodology developed pursuant to Article 8. It shall publish the results for the winter adequacy assessment by 1 December each year and for the summer adequacy assessment by 1 June each year. It may delegate tasks relating to the adequacy assessments to regional coordination centres. It shall present the adequacy assessment at a meeting of the ECG, which may make recommendations where appropriate.

3 The regional coordination centres shall carry out week-ahead to at least day ahead adequacy assessments in accordance with Regulation (EU) 2017/1485 on the basis of the methodology adopted pursuant to Article 8 of this Regulation.

CHAPTER III

Risk-preparedness plans

Article 10

Establishment of risk-preparedness plans

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, the transmission system operators, the relevant producers or their trade bodies, the electricity and natural gas undertakings, the relevant organisations that represent the interests of industrial and non-industrial electricity customers, and the regulatory authority where it is not the competent authority.

2 The risk-preparedness plan shall consist of national measures, regional and, where applicable, bilateral measures as provided for in Articles 11 and 12. In accordance with Article 16, all measures that are planned or taken to prevent, prepare for and mitigate electricity crises shall fully comply with the rules governing the internal electricity market and system operation. Those measures shall be clearly defined, transparent, proportionate and non-discriminatory.

3 The risk-preparedness plan shall be developed in accordance with Articles 11 and 12 and with the template set out in the Annex. If necessary, Member States may include additional information in the risk-preparedness plan.

4 In order to ensure consistency of risk-preparedness plans, competent authorities shall, before adopting their risk-preparedness plans, submit the draft plans, for consultation, to the competent authorities of the relevant Member States in the region and, where they are not in the same region, to the competent authorities of directly connected Member States, as well as to the ECG.

5 Within six months of receipt of the draft risk-preparedness plans, the competent authorities referred to in paragraph 4 and the ECG may issue recommendations relating to the draft plans submitted pursuant to paragraph 4.

6 Within nine months of submitting their draft plans, the competent authorities concerned shall adopt their risk-preparedness plans, taking into account the results of the consultation pursuant to paragraph 4 and any recommendations issued pursuant to paragraph 5. They shall notify their risk-preparedness plans to the Commission without delay.

7 The competent authorities and the Commission shall publish the risk-preparedness plans on their websites, while ensuring confidentiality of sensitive information, in particular information on measures relating to the prevention or mitigation of consequences of malicious attacks. The protection of the confidentiality of sensitive information shall be based on the principles determined pursuant to Article 19.

8 The competent authorities shall adopt and publish their first risk-preparedness plans by 5 January 2022. They shall update them every four years thereafter, unless circumstances warrant more frequent updates.

Article 11

Content of risk-preparedness plans as regards national measures

1 The risk-preparedness plan of each Member State shall set out all national measures that are planned or taken to prevent, prepare for and mitigate electricity crises as identified pursuant to Articles 6 and 7. It shall at least:

- a contain a summary of the electricity crisis scenarios defined for the relevant Member State and region, in accordance with the procedures laid down in Articles 6 and 7;
- b establish the role and responsibilities of the competent authority and describe which tasks, if any, have been delegated to other bodies;
- c describe the national measures designed to prevent or prepare for the risks identified pursuant to Articles 6 and 7;
- d designate a national crisis coordinator and establish its tasks;
- e establish detailed procedures to be followed in electricity crises, including the corresponding schemes on information flows;
- f identify the contribution of market-based measures in coping with electricity crises, in particular demand-side and supply-side measures;
- g identify possible non-market-based measures to be implemented in electricity crises, specifying the triggers, conditions and procedures for their implementation, and indicating how they comply with the requirements laid down in Article 16 and with regional and bilateral measures;
- h provide a framework for manual load shedding, stipulating the circumstances in which loads are to be shed and, with regard to public safety and personal security, specifying which categories of electricity users are, in accordance with national law, entitled to receive special protection against disconnection, justifying the need for such protection, and specifying how the transmission system operators and distribution system operators of the Member States concerned are to decrease consumption;
- i describe the mechanisms used to inform the public about electricity crises;
- j describe the national measures necessary to implement and enforce the regional and, where applicable, bilateral measures agreed pursuant to Article 12;

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- k include information on related and necessary plans for developing the future grid that will help to cope with the consequences of identified electricity crisis scenarios.

2 National measures shall take full account of the regional and, where applicable, bilateral measures agreed pursuant to Article 12 and shall endanger neither the operational security or safety of the transmission system, nor the security of electricity supply of other Member States.

Article 12

Content of risk-preparedness plans as regards regional and bilateral measures

1 In addition to the national measures referred to in Article 11, the risk-preparedness plan of each Member State shall include regional and, where applicable, bilateral measures to ensure that electricity crises with a cross-border impact are properly prevented or managed. Regional measures shall be agreed within the region concerned between Member States that have the technical ability to provide each other assistance in accordance with Article 15. For that purpose, Member States may also form subgroups within a region. Bilateral measures shall be agreed between Member States which are directly connected but are not within the same region. Member States shall ensure consistency between regional and bilateral measures. Regional and bilateral measures shall include at least:

- a the designation of a crisis coordinator;
- b mechanisms to share information and cooperate;
- c coordinated measures to mitigate the impact of an electricity crisis, including a simultaneous electricity crisis, for the purpose of assistance in accordance with Article 15;
- d procedures for carrying out annual or biennial tests of the risk-preparedness plans;
- e the trigger mechanisms of non-market-based measures that are to be activated in accordance with Article 16(2).

2 The Member States concerned shall agree the regional and bilateral measures to be included in the risk-preparedness plan after consulting the relevant regional coordination centres. The Commission may have a facilitating role in the preparation of the agreement on regional and bilateral measures. The Commission may request ACER and the ENTSO for Electricity to provide technical assistance to Member States with a view to facilitating such an agreement. At least eight months before the deadline for the adoption or the updating of the risk-preparedness plan, the competent authorities shall report on the agreements reached to the ECG. If the 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 regional and bilateral measures.

3 With the involvement of relevant stakeholders, the competent authorities of the Member States of each region shall periodically test the effectiveness of the procedures developed in risk-preparedness plans for preventing electricity crises, including the mechanisms referred to in point (b) of paragraph 1, and carry out biennial simulations of electricity crises, in particular testing those mechanisms.

Article 13

Commission assessment of the risk-preparedness plans

1 Within four months of the notification of the adopted risk-preparedness plan by the competent authority, the Commission shall assess the plan taking duly into account the views expressed by the ECG.

2 The Commission shall, after consulting the ECG, issue a non-binding opinion, setting out detailed reasons, and submit it to the competent authority, with a recommendation to review its risk-preparedness plan where that plan:

- a is not effective to mitigate the risks identified in the electricity crisis scenarios;
- b is inconsistent with the electricity crisis scenarios identified or with the risk-preparedness plan of another Member State;
- c does not comply with the requirements laid down in Article 10(2);
- d sets out measures that are likely to jeopardise the security of electricity supply of other Member States;
- e unduly distorts competition or the effective functioning of the internal market; or
- f does not comply with the provisions of this Regulation or other provisions of Union law.

3 Within three months of receipt of the Commission's opinion referred to in paragraph 2, the competent authority concerned shall take full account of the Commission's recommendation and shall either notify the amended risk-preparedness plan to the Commission or notify the Commission of the reasons why it objects to the recommendation.

4 In the event that the competent authority objects to the Commission's recommendation, the Commission may, within four months of receipt of the notification of the competent authority's reasons for objection, withdraw its recommendation or convene a meeting with the competent authority and, where the Commission considers it to be necessary, the ECG, in order to assess the issue. The Commission shall set out detailed reasons for requesting any modifications to the risk-preparedness plan. Where the final position of the competent authority concerned diverges from the Commission's detailed reasons, that competent authority shall provide the Commission with the reasons for its position within two months of receipt of the Commission's detailed reasons.

CHAPTER IV

Managing electricity crises

Article 14

Early warning and declaration of an electricity crisis

1 Where a seasonal adequacy assessment or other qualified source provides concrete, serious and reliable information that an electricity crisis may occur in a Member State, the competent authority of that Member State shall, without undue delay, issue an early warning to the Commission, the competent authorities of the Member States within the same region and, where they are not in the same region, the competent authorities of the directly connected Member States. The competent authority concerned shall also provide information on the causes of the possible electricity crisis, on measures planned or taken to prevent an electricity crisis and

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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. The Commission shall provide that information to the ECG.

2 When confronted with an electricity crisis, the competent authority shall, after consulting the transmission system operator concerned, declare an electricity crisis and inform the competent authorities of the Member States within the same region and, where they are not in the same region, the competent authorities of directly connected Member States, as well as the Commission, without undue delay. That information shall include the causes of the deterioration of the electricity supply situation, the reasons for declaring an electricity crisis, the measures planned or taken to mitigate it and the need for any assistance from other Member States.

3 Where they consider the information provided pursuant to paragraph 1 or 2 to be insufficient, the Commission, the ECG or the competent authorities of the Member States within the same region and, where they are not in the same region, the competent authorities of directly connected Member States may request the Member State concerned to provide additional information.

4 Where a competent authority issues an early warning or declares an electricity crisis, the measures set out in the risk-preparedness plan shall be followed to the fullest extent possible.

Article 15

Cooperation and assistance

1 Member States shall act and cooperate in a spirit of solidarity in order to prevent or manage electricity crises.

2 Where they have the necessary technical ability, Member States shall offer each other assistance by means of regional or bilateral measures that have been agreed pursuant to this Article and to Article 12 before that assistance is provided. To that end, and with the purpose of protecting public safety and personal security, Member States shall agree on regional or bilateral measures of their choice in order to deliver electricity in a coordinated manner.

3 Member States shall agree on the necessary technical, legal and financial arrangements for the implementation of the regional or bilateral measures before assistance is offered. Such arrangements shall specify, inter alia, the maximum quantity of electricity to be delivered at regional or bilateral level, the trigger for any assistance and for suspension of assistance, how the electricity will be delivered, and provisions on fair compensation between Member States in accordance with paragraphs 4, 5 and 6.

4 Assistance shall be subject to a prior agreement between the Member States concerned with regard to fair compensation, which shall cover at least:

- a the cost of the electricity delivered into the territory of the Member State requesting assistance as well as the associated transmission costs; and
- b any other reasonable costs incurred by the Member State providing assistance, including as regards reimbursement for assistance prepared without effective activation, as well as any costs resulting from judicial proceedings, arbitration proceedings or similar proceedings and settlements.

5 Fair compensation pursuant to paragraph 4 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 the payment of compensation pursuant to national compensation rules.

6 The Member State requesting assistance shall promptly pay, or ensure the prompt payment of fair compensation to the Member State providing assistance.

7 The Commission shall, by 5 January 2020, after consulting the ECG and ACER, provide for non-binding guidance on the key elements of the fair compensation referred to in paragraphs 3 to 6 and other key elements of the technical, legal and financial arrangements referred to in paragraph 3 as well as on general principles of mutual assistance referred to in paragraph 2.

8 In the event of an electricity crisis in which Member States have not yet agreed on regional or bilateral 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 4, 5 and 6. Where a Member State requests assistance before such ad hoc measures and arrangements have been agreed, it shall undertake, prior to receiving assistance, to pay fair compensation in accordance with paragraphs 4, 5 and 6.

9 Member States shall ensure that the provisions of this Regulation on assistance are implemented in accordance with the Treaties, the Charter of Fundamental Rights of the European Union and other applicable international obligations. They shall take the necessary measures to that end.

Article 16

Compliance with market rules

1 Measures taken to prevent or mitigate electricity crises shall comply with the rules governing the internal electricity market and system operation.

2 Non-market-based measures shall be activated in an electricity crisis only as a last resort if all options provided by the market have been exhausted or where it is evident that market-based measures alone are not sufficient to prevent a further deterioration of the electricity supply situation. Non-market-based measures shall not unduly distort competition and the effective functioning of the internal electricity market. They shall be necessary, proportionate, non-discriminatory and temporary. The competent authority shall inform relevant stakeholders in its Member State of the application of any non-market-based measures.

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 be initiated only in accordance with Article 16(2) of Regulation (EU) 2019/943, and the rules adopted to implement that provision.

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CHAPTER V

Evaluation and monitoring

Article 17

Ex post evaluation

1 As soon as possible and in any event three months after the end of an electricity crisis, the competent authority of the Member State that declared the electricity crisis shall provide the ECG and the Commission with an *ex post* evaluation report, after having consulted the regulatory authority, where the regulatory authority is not the competent authority.

2 The *ex post* evaluation report shall include at least:

- a a description of the event that triggered the electricity crisis;
- b a description of any preventive, preparatory and mitigating measures taken and an assessment of their proportionality and effectiveness;
- c an assessment of the cross-border impact of the measures taken;
- d an account of the assistance prepared, with or without effective activation, provided to or received from neighbouring Member States and third countries;
- e the economic impact of the electricity crisis and the impact of the measures taken on the electricity sector to an extent allowed by data available at the time of the assessment, 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);
- f reasons justifying the application of any non-market-based measures;
- g any possible improvements or proposed improvements to the risk-preparedness plan;
- h an overview of possible improvements to grid development in cases where insufficient network development caused or contributed to the electricity crisis.

3 Where they consider the information provided in the *ex post* evaluation report to be insufficient, the ECG and the Commission may request the competent authority concerned to provide additional information.

4 The competent authority concerned shall present the results of the *ex post* evaluation at a meeting of the ECG. Those results shall be reflected in the updated risk-preparedness plan.

Article 18

Monitoring

1 In addition to carrying out other tasks set out in this Regulation, the ECG shall discuss:

- a the results of the 10-year network development plan in electricity prepared by the ENTSO for Electricity;
- b the coherence of the risk-preparedness plans, adopted by the competent authorities following the procedure referred to in Article 10;
- c the results of the European resource adequacy assessments carried out by the ENTSO for Electricity as referred to in Article 23(4) of Regulation (EU) 2019/943;
- d the performance of Member States in the area of security of electricity supply taking into account at least the indicators calculated in the European resource adequacy assessment, namely the expected energy non-served and loss of load expectation;

- e the results of the seasonal adequacy assessments referred to in Article 9(2);
- f the information received from the Member States pursuant to Article 7(4);
- g the results of the *ex post* evaluation referred to in Article 17(4);
- h the methodology for short-term adequacy assessment referred to in Article 8;
- i the methodology for identifying regional electricity crisis scenarios referred to in Article 5.

2 The ECG may issue recommendations to the Member States as well as to the ENTSO for Electricity related to the matters referred to in paragraph 1.

3 ACER shall, on an ongoing basis, monitor the security of electricity supply measures and shall report regularly to the ECG.

4 By 1 September 2025, the Commission shall, on the basis of the experience gained in the application of this Regulation, evaluate the possible means by which 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.

Article 19

Treatment of confidential information

1 Member States and competent authorities shall implement the procedures referred to in this Regulation in accordance with the applicable rules, including national rules relating to the handling of confidential information and processes. If the implementation of those rules results in information not being disclosed, *inter alia* as part of risk-preparedness plans, the Member State or authority may provide a non-confidential summary thereof, and shall do so upon request.

2 The Commission, ACER, the ECG, the ENTSO for Electricity, Member States, competent authorities, regulatory authorities and other relevant bodies, entities or persons, which receive confidential information pursuant to this Regulation, shall ensure the confidentiality of sensitive information.

CHAPTER VI

Final provisions

Article 20

Cooperation with the Energy Community Contracting Parties

Where the Member States and the Energy Community Contracting Parties cooperate in the area of security of electricity supply, such cooperation may include defining an electricity crisis, 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 electricity supply of the Member States, Energy Community Contracting Parties or the Union. In that respect, the Energy Community Contracting Parties may, at the invitation of the Commission, participate in the ECG with regard to all matters with which they are concerned.

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Article 21

Derogation

Until Cyprus is directly connected with another Member State, Articles 6 and 12 and Article 15(2) to (9) shall not apply either between Cyprus and other Member States, or to the ENTSO for Electricity as regards Cyprus. Cyprus and relevant other Member States may develop, with the support of the Commission, measures and procedures alternative to those provided for in Articles 6 and 12 and Article 15(2) to (9), provided that such alternative measures and procedures do not affect the effective application of this Regulation between the other Member States.

Article 22

Transitional provision pending the establishment of regional coordination centres

Until the date on which regional coordination centres are established pursuant to Article 35 of Regulation (EU) 2019/943, regions shall refer either to a Member State or to a group of Member States located in the same synchronous area.

Article 23

Repeal

Directive 2005/89/EC is repealed.

Article 24

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 5 June 2019.

For the European Parliament

The President

A. TAJANI

For the Council

The President

G. CIAMBA