

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;

- (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).