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From:	General Secretariat of the Council
To:	Permanent Representatives Committee
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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EU) 2019/943 and (EU) 2019/942 as well as Directives (EU) 2018/2001 and (EU) 2019/944 to improve the Union's electricity market design - Preparation for the trilogue

In view of Coreper on 8 December, delegations will find in the Annex the suggested 'provisionally agreed' compromises discussed at technical level.

**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Regulations (EU) 2019/943 and (EU) 2019/942 as well as Directives (EU) 2018/2001 and
(EU) 2019/944 to improve the Union's electricity market design (Text with EEA relevance)
2023/0077(COD)**

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2023/0077 (COD)	2023/0077 (COD)	2023/0077 (COD)	2023/0077 (COD)
Proposal Title				
2	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EU) 2019/943 and (EU) 2019/942 as well as Directives (EU) 2018/2001 and (EU) 2019/944 to improve the Union's electricity market design (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EU) 2019/943 and (EU) 2019/942 as well as Directives (EU) 2018/2001 and (EU) 2019/944 to improve the Union's electricity market design (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EU) 2019/943 and (EU) 2019/942 as well as Directives (EU) 2018/2001 and (EU) 2019/944 to improve the Union's electricity market design (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EU) 2019/943 and (EU) 2019/942 as well as Directives (EU) 2018/2001 and (EU) 2019/944 to improve the Union's electricity market design (Text with EEA relevance)
Formula				
3	THE EUROPEAN PARLIAMENT AND THE	THE EUROPEAN PARLIAMENT AND THE	THE EUROPEAN PARLIAMENT AND THE	THE EUROPEAN PARLIAMENT AND THE

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	COUNCIL OF THE EUROPEAN UNION,	COUNCIL OF THE EUROPEAN UNION,	COUNCIL OF THE EUROPEAN UNION,	COUNCIL OF THE EUROPEAN UNION,	
Citation 1					
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194(2) thereof,	
Citation 2					
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	
Citation 3					
6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	
Citation 4					
7	Having regard to the opinion of the European Economic and Social Committee,	Having regard to the opinion of the European Economic and Social Committee,	Having regard to the opinion of the European Economic and Social Committee,	Having regard to the opinion of the European Economic and Social Committee,	
Citation 5					
8	Having regard to the opinion of	Having regard to the opinion of	Having regard to the opinion of	Having regard to the opinion of	

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	the Committee of the Regions,	the Committee of the Regions,	the Committee of the Regions,	the Committee of the Regions,
Citation 6				
9	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,
Formula				
10	Whereas:	Whereas:	Whereas:	Whereas:
Recital 12				
22	(12) Well-functioning and efficient short-term markets are a key tool for the integration of renewable energy and flexibility sources in the market and facilitate energy system integration in a cost-effective manner.	(12) Well-functioning and efficient short-term markets are a key tool for the integration of renewable energy and flexibility sources in the market and facilitate energy system integration in a cost-effective manner.	(12) Well-functioning and efficient short-term markets are a key tool for the integration of renewable energy and flexibility sources in the market and facilitate energy system integration in a cost-effective manner.	(12) Well-functioning and efficient short-term markets are a key tool for the integration of renewable energy and flexibility sources in the market and facilitate energy system integration in a cost-effective manner.
Recital 15				
25	(15) In addition, the short-term electricity markets should ensure that small-scale flexibility service providers can participate by lowering the minimum bid size.	(15) In addition, the short-term electricity markets should ensure that small-scale flexibility service providers can participate by lowering the minimum bid size.	(15) In addition, the short-term electricity markets should ensure that small-scale flexibility service providers can participate by lowering the minimum bid size.	(15) In addition, the short-term electricity markets should ensure that small-scale flexibility service providers can participate by lowering the minimum bid size.

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Recital 24				
34	(24) In the day-ahead wholesale market, the power plants with lower marginal costs are dispatched first, but the price received by all market participants is set by the last plant needed to cover the demand, which is the plant with the highest marginal costs, when the markets clear. In this context, the energy crisis has shown that a surge in the price of gas and hard coal can translate into exceptional and lasting increases of the prices at which the gas and coal-fired generation facilities bid in the day-ahead wholesale market. That in turn has led to exceptionally high prices in the day-ahead market across the Union, as gas and coal-fired generation facilities are often the plants with the highest marginal costs needed to meet the demand for electricity.	(24) In the day-ahead wholesale market, the power plants with lower marginal costs are dispatched first, but the price received by all market participants is set by the last plant needed to cover the demand, which is the plant with the highest marginal costs, when the markets clear. In this context, the energy crisis has shown that a surge in the price of gas and hard coal can translate into exceptional and lasting increases of the prices at which the gas and coal-fired generation facilities bid in the day-ahead wholesale market. That in turn has led to exceptionally high prices in the day-ahead market across the Union, as gas and coal-fired generation facilities are often the plants with the highest marginal costs needed to meet the demand for electricity.	(24) In the day-ahead wholesale market, the power plants with lower marginal costs are dispatched first, but the price received by all market participants is set by the last plant needed to cover the demand, which is the plant with the highest marginal costs, when the markets clear. In this context, the energy crisis has shown that a surge in the price of gas and hard coal can translate into exceptional and lasting increases of the prices at which the gas and coal-fired generation facilities bid in the day-ahead wholesale market. That in turn has led to exceptionally high prices in the day-ahead market across the Union, as gas and coal-fired generation facilities are often the plants with the highest marginal costs needed to meet the demand for electricity.	(24) In the day-ahead wholesale market, the power plants with lower marginal costs are dispatched first, but the price received by all market participants is set by the last plant needed to cover the demand, which is the plant with the highest marginal costs, when the markets clear. In this context, the energy crisis has shown that a surge in the price of gas and hard coal can translate into exceptional and lasting increases of the prices at which the gas and coal-fired generation facilities bid in the day-ahead wholesale market. That in turn has led to exceptionally high prices in the day-ahead market across the Union, as gas and coal-fired generation facilities are often the plants with the highest marginal costs needed to meet the demand for electricity.
Recital 25				
35	(25) Given the role of the price in the day-ahead market as a reference for the price in other	(25) Given the role of the price in the day-ahead market as a reference for the price in other	(25) Given the role of the price in the day-ahead market as a reference for the price in other	(25) Given the role of the price in the day-ahead market as a reference for the price in other

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	wholesale electricity markets, and the fact that all market participants receive the clearing price, the technologies with significantly lower marginal costs have consistently recorded high revenues.	wholesale electricity markets, and the fact that all market participants receive the clearing price, the technologies with significantly lower marginal costs have consistently recorded high revenues.	wholesale electricity markets, and the fact that all market participants receive the clearing price, the technologies with significantly lower marginal costs have consistently recorded high revenues.	wholesale electricity markets, and the fact that all market participants receive the clearing price, the technologies with significantly lower marginal costs have consistently recorded high revenues.
Recital 26				
36	(26) To reach the Union's decarbonisation targets and the objectives set out in REPowerEU to become more energy independent, the Union needs to accelerate the deployment of renewables at a much faster pace. In view of the investment needs required to achieve these goals, the market should ensure that a long-term price signal is established.	(26) To reach the Union's decarbonisation targets and the objectives set out in REPowerEU to become more energy independent, the Union needs to accelerate the deployment of renewables at a much faster pace. In view of the investment needs required to achieve these goals, the market should ensure that a long-term price signal is established.	(26) To reach the Union's decarbonisation targets and the objectives set out in REPowerEU to become more energy independent, the Union needs to accelerate the deployment of renewables at a much faster pace. In view of the investment needs required to achieve these goals, the market should ensure that a long-term price signal is established.	(26) To reach the Union's decarbonisation targets and the objectives set out in REPowerEU to become more energy independent, the Union needs to accelerate the deployment of renewables at a much faster pace. In view of the investment needs required to achieve these goals, the market should ensure that a long-term price signal is established.
Recital 41				
51	(41) The connection of new generation and demand installations, in particular renewable energy plants, often faces delays in grid connection procedures. One of the reasons for such delays is the lack of available grid capacity at the	(41) The connection of new generation and demand installations, in particular renewable energy plants, often faces delays in grid connection procedures. One of the reasons for such delays is the lack of available grid capacity at the	(41) The connection of new generation and demand installations, in particular renewable energy plants, often faces delays in grid connection procedures. One of the reasons for such delays is the lack of available grid capacity at the	(41) The connection of new generation and demand installations, in particular renewable energy plants, often faces delays in grid connection procedures. One of the reasons for such delays is the lack of available grid capacity at the

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	location chosen by the investor, which implies the need for grid extensions or reinforcements to connect the installations to the system in a safe manner. A new requirement for electricity system operators, both at transmission and distribution levels, to publish and update information on the grid capacity available in their areas of operation would contribute to decision-making by investors on the basis of information of grid capacity availability within the system and thus to the required acceleration in the deployment of renewable energy.	location chosen by the investor, which implies the need for grid extensions or reinforcements to connect the installations to the system in a safe manner. A new requirement for electricity system operators, both at transmission and distribution levels, to publish and update information on the grid capacity available in their areas of operation would contribute to decision-making by investors on the basis of information of grid capacity availability within the system and thus to the required acceleration in the deployment of renewable energy.	location chosen by the investor, which implies the need for grid extensions or reinforcements to connect the installations to the system in a safe manner. A new requirement for electricity system operators, both at transmission and distribution levels, to publish and update information on the grid capacity available in their areas of operation would contribute to decision-making by investors on the basis of information of grid capacity availability within the system and thus to the required acceleration in the deployment of renewable energy.	location chosen by the investor, which implies the need for grid extensions or reinforcements to connect the installations to the system in a safe manner. A new requirement for electricity system operators, both at transmission and distribution levels, to publish and update information on the grid capacity available in their areas of operation would contribute to decision-making by investors on the basis of information of grid capacity availability within the system and thus to the required acceleration in the deployment of renewable energy.
Recital 47				
57	(47) Due to the increasing complexity of energy offers and different marketing practices, consumers have often difficulties to fully understand what they sign up to. In particular, there is a lack of clarity on how the price is set, the conditions for the renewal of the contract, the consequences of terminating a contract or the reasons for changing conditions by the supplier. Therefore, the	(47) Due to the increasing complexity of energy offers and different marketing practices, consumers have often difficulties to fully understand what they sign up to. In particular, there is a lack of clarity on how the price is set, the conditions for the renewal of the contract, the consequences of terminating a contract or the reasons for changing conditions by the supplier. Therefore, the	(47) Due to the increasing complexity of energy offers and different marketing practices, consumers have often difficulties to fully understand what they sign up to. In particular, there is a lack of clarity on how the price is set, the conditions for the renewal of the contract, the consequences of terminating a contract or the reasons for changing conditions by the supplier. Therefore, the	(47) Due to the increasing complexity of energy offers and different marketing practices, consumers have often difficulties to fully understand what they sign up to. In particular, there is a lack of clarity on how the price is set, the conditions for the renewal of the contract, the consequences of terminating a contract or the reasons for changing conditions by the supplier. Therefore, the

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	key information on energy offers should be provided to consumers by suppliers or market participants engaged in aggregation in a short and easily understandable manner prior to signing the contract.	key information on energy offers should be provided to consumers by suppliers or market participants engaged in aggregation in a short and easily understandable manner prior to signing the contract.	key information on energy offers should be provided to consumers by suppliers or market participants engaged in aggregation in a short and easily understandable manner prior to signing the contract.	key information on energy offers should be provided to consumers by suppliers or market participants engaged in aggregation in a short and easily understandable manner prior to signing the contract.
Recital 49				
59	(49) Energy sharing can create resilience against the effects of high and volatile wholesale market prices on consumers' energy bills, empowers a wider group of consumers that do not otherwise have the option of becoming an active customer due to financial or spatial constraints, such as energy poor and vulnerable consumers, and leads to increased uptake of renewable energy by mobilising additional private capital investments and diversifying remuneration pathways. With the integration of appropriate price signals and storage facilities, electricity sharing can help lay the foundation to help tap into the flexibility potential of smaller consumers.	(49) Energy sharing can create resilience against the effects of high and volatile wholesale market prices on consumers' energy bills, empowers a wider group of consumers that do not otherwise have the option of becoming an active customer due to financial or spatial constraints, such as energy poor and vulnerable consumers, and leads to increased uptake of renewable energy by mobilising additional private capital investments and diversifying remuneration pathways. With the integration of appropriate price signals and storage facilities, electricity sharing can help lay the foundation to help tap into the flexibility potential of smaller consumers.	(49) Energy sharing can create resilience against the effects of high and volatile wholesale market prices on consumers' energy bills, empowers a wider group of consumers that do not otherwise have the option of becoming an active customer due to financial or spatial constraints, such as energy poor and vulnerable consumers, and leads to increased uptake of renewable energy by mobilising additional private capital investments and diversifying remuneration pathways. With the integration of appropriate price signals and storage facilities, electricity sharing can help lay the foundation to help tap into the flexibility potential of smaller consumers.	(49) Energy sharing can create resilience against the effects of high and volatile wholesale market prices on consumers' energy bills, empowers a wider group of consumers that do not otherwise have the option of becoming an active customer due to financial or spatial constraints, such as energy poor and vulnerable consumers, and leads to increased uptake of renewable energy by mobilising additional private capital investments and diversifying remuneration pathways. With the integration of appropriate price signals and storage facilities, electricity sharing can help lay the foundation to help tap into the flexibility potential of smaller consumers.
Article 1				

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68	Article 1 Amendments to Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity	Article 1 Amendments to Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity	Article 1 Amendments to Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity	Article 1 Amendments to Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity
Article 1, first paragraph				
69	Regulation (EU) 2019/943 is amended as follows:	Regulation (EU) 2019/943 is amended as follows:	Regulation (EU) 2019/943 is amended as follows:	Regulation (EU) 2019/943 is amended as follows:
Article 1, first paragraph, point (1)				
70	(1) Article 1 is amended as follows:	(1) Article 1 is amended as follows:	(1) Article 1 is amended as follows:	(1) Article 1 is amended as follows:
Article 1, first paragraph, point (1)(-a)				
70a		<u><i>(-a) point (a) is replaced by the following:</i></u>		<u><i>(-a) point (a) is replaced by the following:</i></u>
Article 1, first paragraph, point (1)(a)				
71	(a) point (b) is replaced by the following:	(a) point (b) is replaced by the following:	(a) point (b) is replaced by the following:	(a) point (b) is replaced by the following:
Article 1, first paragraph, point (1)(b)				

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73	(b) the following point is added:	(b) the following point is <u>points are</u> added:	(b) the following point is added:	(b) the following point is added:
Article 1, first paragraph, point (1)(b), amending provision, first paragraph				
74	(e) support long-term investments in renewable energy generation and enable consumers' to make their energy bills less dependent from fluctuations of short-term electricity market prices, in particular fossil fuel prices in the medium to long-term.	(e) support long-term investments in renewable energy generation <u>flexibility, including energy storage</u> , and enable consumers' to make their energy bills <u>affordable and</u> less dependent from fluctuations of short-term electricity market prices, in particular fossil fuel prices in the medium to long-term.	(e) support long-term investments in renewable energy generation and enable consumers' to make their energy bills less dependent from fluctuations of short-term electricity market prices, in particular fossil fuel prices in the medium to long-term.'	(e) support long-term investments in renewable energy generation, <u>flexibility and grids to</u> and enable consumers' to make their energy bills <u>affordable and</u> less dependent from fluctuations of short-term electricity market prices, in particular fossil fuel prices in the medium to long-term.
Article 1, first paragraph, point (1)(b), amending provision, first paragraph a				
74a		<u>(ea) set a framework for the adoption of measures to address electricity price crisis;</u>		<u>(ea) set a framework for the adoption of measures to address electricity price crisis;</u>
Article 1, first paragraph, point (2)				
75	(2) In Article 2, the following points are added:	(2) In Article 2, the following points are added:	(2) In Article 2, the following points are added:	(2) In Article 2, the following points are added:
Article 1, first paragraph, point (2), amending provision, numbered paragraph (73)				

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77	(73) ‘peak shaving’ means the ability of market participants to reduce electricity consumption at peak hours determined by the transmission system operator;	(73) ‘peak shaving’ means the ability of market participants to reduce electricity consumption <u>from the grid</u> at peak hours determined by the transmission system operator;	(73) ‘peak shaving’ means the ability of market participants to reduce electricity consumption at peak hours determined by the request of the transmission system operator;	(73) ‘peak shaving’ means the ability of market participants to reduce electricity consumption <u>from the grid</u> at peak hours determined by the transmission <u>at the request of the</u> system operator;
Article 1, first paragraph, point (2), amending provision, numbered paragraph (74)				
78	(74) ‘peak shaving product’ means a market-based product through which market participants can provide peak shaving to the transmission system operators;	(74) ‘peak shaving product’ means a market-based product through which market participants can provide peak shaving to the transmission system operators;	(74) ‘peak shaving product’ means a market-based product through which market participants can provide peak shaving to the transmission system operators;	(74) ‘peak shaving product’ means a market-based product through which market participants can provide peak shaving to the transmission system operators;
Article 1, first paragraph, point (2), amending provision, numbered paragraph (78a)				
82a		<u>78a. ‘settlement’ means a payment that is made and received between counterparties, against delivery and receipt of electricity where applicable, in fulfilment of the counterparties’ respective obligations pursuant to one or more clearing transactions;</u>		
Article 1, first paragraph, point (2), amending provision, numbered paragraph (79)				
83	(79) ‘dedicated metering	(79) ‘dedicated	(79) ‘dedicated	(79) ‘dedicated

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	device' means a device attached to or embedded in an asset that sells demand response or flexibility services on the electricity market or to transmission and distribution system operators;	metering <u>measurement</u> device' means a device <u>linked or</u> attached to, or embedded in, an asset that sells <u>provides</u> demand response or flexibility services on the electricity market or to transmission and distribution system operators <u>and that allows measuring the volume of demand response and flexibility services delivered;</u>	metering <u>measurement</u> device' means a device attached <u>linked</u> to or embedded in an asset that sells <u>provides</u> demand response or flexibility services on the electricity market or to transmission and distribution system operators;	metering <u>measurement</u> device' means a device attached <u>linked</u> to or embedded in an asset that sells <u>provides</u> demand response or flexibility services on the electricity market or to transmission and distribution system operators;
	Article 1, first paragraph, point (2), amending provision, numbered paragraph (79a)			
83a		<u>79a. 'power control system' or 'PCS' means a system or device which electronically limits or controls the steady state alternating currents, or direct currents, to a programmable limit or level;</u>		
	Article 1, first paragraph, point (2), amending provision, numbered paragraph (79b)			
83b		<u>79b. 'flexible connection agreement' means a set of predetermined rules and requirements for expeditiously interconnecting electrical capacity to the grid, that includes an agreement to limit and control the import and export of electricity from and to</u>		<u>79b. 'flexible connection agreement' means a set of agreed conditions for connecting electrical capacity to the grid, that includes conditions to limit and control the electricity injection to and withdrawal from the transmission or distribution</u>

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		<u>the transmission and distribution network;</u>		<u>network;</u>
	Article 1, first paragraph, point (2), amending provision, numbered paragraph (80)			
84	(80) ‘flexibility’ means the ability of an electricity system to adjust to the variability of generation and consumption patterns and grid availability, across relevant market timeframes.	(80) ‘flexibility’ means the ability of an electricity system to adjust to the variability of generation and consumption patterns and grid availability, across relevant market timeframes.	(80) ‘flexibility’ means the ability of an electricity system to adjust to the variability of generation and consumption patterns and grid availability, across relevant market timeframes.’	(80) ‘flexibility’ means the ability of an electricity system to adjust to the variability of generation and consumption patterns and grid availability, across relevant market timeframes.’
	Article 1, first paragraph, point (2), amending provision, numbered paragraph (80a)			
84a		<u>80a. ‘intraday market operator’ means any NEMO, power exchange or other entity which collects bids and offers for intraday products, or products with essentially the same characteristics as intraday products, from market participants before or after the intraday cross-zonal gate closure time;</u>		
	Article 1, first paragraph, point (2), amending provision, numbered paragraph (80b)			
84b		<u>80b. ‘intraday market timeframe’ means the</u>		

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		<u>timeframe of the electricity market from single intraday coupling gate opening time until the latest point in time when intraday trading is allowed in a given bidding zone including time periods after the intraday cross-zonal gate closure time;</u>		
	Article 1, first paragraph, point (2), amending provision, numbered paragraph (80c)			
84c		<u>80c. 'day-ahead market timeframe' means the timeframe of the electricity market from the single day-ahead coupling gate opening time until the time when the single day-ahead coupling results are published;'</u>		
	Article 1, first paragraph, point (3)			
85	(3) Article 7 is amended as follows:	(3) Article 7 is amended as follows:	(3) Article 7 is amended as follows:	(3) Article 7 is amended as follows:
	Article 1, first paragraph, point (3)(a)			
86	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:

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	Article 1, first paragraph, point (3)(b)			
88	(b) paragraph 2 is amended as follows:	(b) paragraph 2 is amended as follows:	(b) paragraph 2 is amended as follows:	(b) paragraph 2 is amended as follows:
	Article 1, first paragraph, point (3)(b)(i)			
89	(i) point (c) is replaced by the following:	(i) point (c) is replaced by the following:	(i) point (c) is replaced by the following:	(i) point (c) is replaced by the following:
	Article 1, first paragraph, point (3)(b)(i), amending provision, first paragraph			
90	(c) maximise the opportunities for all market participants to participate in cross-zonal and intra-zonal trade in a non-discriminatory way and as close as possible to real time across and within all bidding zones;	(c) maximise the opportunities for all market participants to participate in cross-zonal and intra-zonal trade in a non-discriminatory way and as close as possible to real time across and within all bidding zones;	(c) maximise the opportunities for all market participants to participate in cross-zonal and intra-zonal trade in a non-discriminatory way and as close as possible to real time across and within all bidding zones;	(c) maximise the opportunities for all market participants to participate in cross-zonal and intra-zonal trade in a non-discriminatory way and as close as possible to real time across and within all bidding zones;
	Article 1, first paragraph, point (3)(b)(ii)			
91	(ii) the following point (ca) is inserted:	(ii) the following point (ca) is inserted:	(ii) the following point (ca) is inserted:	(ii) the following point (ca) is inserted:
	Article 1, first paragraph, point (4)			

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93	(4) the following Articles 7a and 7b are inserted:	(4) the following Articles 7a and 7b are inserted:	(4) the following Articles 7a and 7b are inserted:	(4) the following Articles 7a and 7b are inserted:
Article 1, first paragraph, point (4), amending provision, first paragraph				
94	Article 7a	Article 7a	Article 7a	Article 7a
Article 1, first paragraph, point (4), amending provision, second paragraph				
95	Peak shaving product	Peak shaving product	Peak shaving product	Peak shaving product
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1)				
96	1. Without prejudice to Article 40(5) and 40(6) of the Electricity Directive, transmission system operators may procure peak shaving products in order to achieve a reduction of electricity demand during peak hours.	1. Without prejudice to Article 40(5) and 40(6) <u>By December 2024, ACER, after consulting ENTSO for Electricity, and the EU DSO Entity, shall carry out an assessment of the Electricity Directive, transmission <u>possibility of</u> system operators may <u>to</u> procure peak shaving products in order to achieve a reduction of electricity demand <u>and price</u> during peak hours. <u>That assessment shall take into consideration the need for peak shaving products not to distort</u></u>	1. Where a regional or Union-wide electricity price crisis is declared in accordance with Article 66a of Directive (EU) 2019/944, and without prejudice to Article 40(5) and 40(6) of the Electricity Directive, transmission (6) of that Directive, Member States, may authorise system operators may <u>to</u> procure peak shaving products in order to achieve a reduction of electricity demand during <u>in</u> peak hours. Such procurement shall be limited to the duration set out in the	1. <u>Where a regional or Union-wide electricity price crisis is declared in accordance with Article 66a of Directive (EU) 2019/944, and</u> without prejudice to Article 40(5) and 40(6) of the <u>(6) of</u> Electricity Directive, transmission <u>Member States may request</u> system operators may <u>procure to propose the procurement of</u> peak shaving products in order to achieve a reduction of electricity demand during peak hours. <u>Such procurement shall be limited to the duration set out in the</u>

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		<u>the functioning of the electricity markets, and not to cause a redirection of demand response services towards peak shaving products. That assessment shall also take into account specific national developments and assess the possibility of procuring peak shaving products under normal circumstances on the one hand and during electricity price crisis declared in accordance with Article 66a of Directive ... [revised EMD Directive] on the other. The Commission shall, where appropriate, submit a legislative proposal to amend this Regulation in order to introduce peak shaving products outside electricity price crisis situations.</u>	decision adopted pursuant to Article 66a(1) of Directive (EU) 2019/944.	<u>decision adopted pursuant to Article 66a (1) of Directive (EU) 2019/944.</u>
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1a)				
96a		<u>1a. The concerned national regulatory authority shall assess the proposal in terms of achieving a reduction of electricity demand and impact on wholesale electricity price during peak hours. The assessment shall take into consideration the need for the</u>		

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		<u>peak shaving product not to unduly distort the functioning of the electricity markets, and not to cause a redirection of demand response services towards peak shaving products. Based on this assessment, the regulatory authority may request the system operator to amend the proposal.</u>		
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (1b)			
96b		<u>1b. 1b. The proposal for peak shaving product shall comply with the following requirements:</u>		
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (2)			
97	2. Transmission system operators seeking to procure a peak shaving product shall submit a proposal setting out the dimensioning and conditions for the procurement of the peak shaving product to the regulatory authority of the Member State concerned. The proposal of the transmission system operator shall comply with the following requirements:	21a. Transmission <u>Where the Commission has adopted a decision declaring an electricity price crisis pursuant to Article 66a of Directive ... [revised EMD Directive] and taking into account the results of the Agency's assessment as referred to in paragraph 1, or existing assessments until the latter is carried out,</u> system operators seeking <u>may, during the application period of that</u>	2. Transmission System operators seeking to procure a peak shaving product shall submit a proposal– setting out the dimensioning and conditions for the procurement and activation of the peak shaving product to the regulatory authority of the Member State concerned. The proposal of the transmission system operator shall comply with the following requirements:	2. Transmission system operators seeking to procure a peak shaving product shall <u>When requested pursuant to paragraph 1, system operators shall, after consulting stakeholders,</u> submit a proposal setting out the dimensioning and conditions for the procurement <u>and activation</u> of the peak shaving product to the regulatory authority of the Member State concerned <u>for its</u>

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		<u>decision, procure peak shaving products in order to achieve a reduction of electricity demand and price in peak hours.</u> <u>Where system operators seek</u> to procure a peak shaving product, <u>they</u> shall submit a proposal setting out the dimensioning and conditions for the procurement <u>and activation</u> of the peak shaving product to the regulatory authority of the Member State concerned. The proposal of the transmission<u>relevant</u> system operator shall comply with the following requirements:		<u>approval.</u> <u>2a. The concerned national regulatory authority shall assess the The proposal in terms of achieving a reduction of electricity demand and impact on wholesale electricity price during peak hours. The assessment shall take into consideration the need for the peak shaving product not to unduly distort the functioning of the electricity markets, and not to cause a redirection of demand response services towards peak shaving products. Based on this assessment, the regulatory authority may request the of the transmission system operator to amend the proposal.</u> <u>2b. The proposal for peak shaving product</u> shall comply with the following requirements:
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1b), point (a)				
98	(a) the dimensioning of the peak shaving product shall be based on an analysis of the need for an additional service to ensure	(a) the dimensioning of the peak shaving product shall be based on an analysis of the need for an additional service to ensure	(a) the dimensioning of the peak shaving product shall be based on an analysis of the need for an additional service to ensure	(a) the dimensioning of the peak shaving product shall be based on an analysis of the need for an additional service to ensure

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	security of supply. The analysis shall take into account a reliability standard or objective and transparent grid stability criteria approved by the regulatory authority. The dimensioning shall take into account the forecast of demand, the forecast of electricity generated from renewable energy sources and the forecast of other sources of flexibility in the system. The dimensioning of the peak shaving product shall be limited to ensure that the expected benefits of the product do not exceed the forecasted costs;	security of supply. The analysis shall take into account <u>the market impact of the peak shaving product, its expected costs and benefits and</u> a reliability standard or objective and transparent grid stability criteria approved by the regulatory authority. The dimensioning shall take into account the forecast of demand, the forecast of electricity generated from renewable energy sources and the forecast of other sources of flexibility in the system, <u>such as energy storage</u> . The dimensioning of the peak shaving product shall be <u>transparent, carried out after consulting market participants and</u> limited to ensure that the <u>forecasted costs do not exceed the</u> expected benefits of the product <u>and</u> do not exceed the forecasted costs <u>increase the greenhouse gas emissions of the energy system at the moment of its activation</u> ;	security of supply. The analysis shall take into account a reliability standard or objective and transparent grid stability criteria approved by the regulatory authority, of its impact on the market and of its expected costs and benefits. The dimensioning shall take into account the forecast of demand, the forecast of electricity generated from renewable energy sources and , the forecast of other sources of flexibility in the system, and the wholesale price impact of the avoided dispatch. The dimensioning of the peak shaving product shall be limited to ensure that forecasted costs do not exceed the expected benefits of the product do not exceed the forecasted costs ;;	security of supply. The analysis shall take into account a reliability standard or objective and transparent grid stability criteria approved by the regulatory authority without <u>endangering grid stability, of its impact on the market and of its expected costs and benefits.</u> The dimensioning shall take into account the forecast of demand, the forecast of electricity generated from renewable energy sources and , the forecast of other sources of flexibility in the system, <u>such as energy storage, and the wholesale price impact of the avoided dispatch.</u> The dimensioning of the peak shaving product shall be limited to ensure that the expected benefits of the product <u>forecasted costs</u> do not exceed the forecasted costs <u>expected benefits of the product</u> ;
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1b), point (b)				
99	(b) the procurement of a peak shaving product shall be based on objective, transparent, non-	(b) the procurement of a peak shaving product shall be based on objective, <u>market-based</u> ,	(b) the procurement of a peak shaving product shall be based on objective, transparent, non-	(b) the procurement of a peak shaving product shall be based on objective, transparent,

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	discriminatory criteria and be limited to demand response;	transparent, non-discriminatory criteria and be limited to demand response; <u>it shall not exclude participating assets from accessing other markets;</u>	discriminatory criteria and be limited to demand response;	<u>market-based</u> , non-discriminatory criteria and be limited to demand response; <u>It shall not exclude participating assets from accessing other markets;</u>
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1b), point (c)				
100	(c) the procurement of the peak shaving product shall take place using a competitive bidding process, with selection based on the lowest cost of meeting pre-defined technical and environmental criteria;	(c) the procurement of the peak shaving product shall take place using a competitive bidding process, <u>which may be continuous</u> , with selection based on the lowest cost of meeting pre-defined technical and environmental criteria, <u>and shall allow the effective participation of small consumers, directly or through aggregation;</u>	(c) the procurement of the peak shaving product shall take place using a competitive bidding process, which can be continuous , with selection based on the lowest cost of meeting pre-defined technical and environmental criteria;	(c) the procurement of the peak shaving product shall take place using a competitive bidding, <u>which can be continuous</u> process , with selection based on the lowest cost of meeting pre-defined technical and environmental criteria <u>and shall allow the effective participation of consumers, directly or through aggregation;</u>
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1b), point (ca)				
100a		<u>(ca) the minimum bid size shall be 100 kW, including through aggregation;</u>		<u>(ca) the minimum bid size shall not be higher than 100 kW, including through aggregation;</u>
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1b), point (d)				
101	(d) contracts for a peak shaving product shall not be concluded more than two days before its	(d) contracts for a peak shaving product shall not be concluded more than two days <u>a week</u>	(d) contracts for a peak shaving product shall not be concluded more than two days a week	(d) contracts for a peak shaving product shall not be concluded more than two days <u>a week</u>

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	activation and the contracting period shall be no longer than one day;	<u>ahead</u> before its activation and the contracting period shall be no longer than one day;	before its activation and the contracting period shall be no longer than one day;	before its activation and the contracting period shall be no longer than one day;
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1b), point (e)				
102	(e) the activation of the peak shaving product shall not reduce cross-zonal capacity;	(e) the activation of the peak shaving product shall not reduce cross-zonal capacity;	(e) the activation of the peak shaving product shall not reduce cross-zonal capacity;	(e) the activation of the peak shaving product shall not reduce cross-zonal capacity;
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1b), point (f)				
103	(f) the activation of the peak shaving product shall take place after the closure of the day-ahead market and before the start of the balancing market;	(f) the activation of the peak shaving product shall take place after the closure of the day-ahead market and before the start of the balancing market;	(f) the activation of the peak shaving product shall take place after the closure of before or within the day-ahead market and before the start of the balancing market may be done based on a predefined electricity price;	(f) the activation of the peak shaving product shall take place after the closure of before or within the day-ahead market and before the start of the balancing market may be done based on a predefined electricity price;
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1b), point (g)				
104	(g) the peak shaving product shall not imply starting generation located behind the metering point.	(g) the peak shaving product shall not imply starting generation located behind the metering point.	(g) the peak shaving product shall not imply starting fossil fuel-based generation located behind the metering point.	(g) the <u>activation of</u> peak shaving product shall not imply starting <u>fossil fuel-based</u> generation located behind the metering point, <u>avoiding the increasing of greenhouse gas emissions.</u>
Article 1, first paragraph, point (4), amending provision, numbered paragraph (3)				

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105	3. The actual reduction of consumption resulting from the activation of a peak shaving product shall be measured against a baseline, reflecting the expected electricity consumption without the activation of the peak shaving product. Transmission system operators shall develop a baseline methodology in consultation with market participants and submit it to the regulatory authority.	3. The actual reduction of consumption resulting from the activation of a peak shaving product shall be measured against a baseline, reflecting the expected electricity consumption without the activation of the peak shaving product. Transmission<u>Where a</u> system operators<u>operator decides to procure a peak shaving product in accordance with paragraph 2, second subparagraph of this Article, it</u> shall develop a baseline methodology in consultation with market participants and <u>in compliance with Article 23 of Directive (EU) 2019/944 and the procedures set out in the network code adopted pursuant to Article 59 and</u> submit it to the regulatory authority <u>for approval. Where the proposal referred to in paragraph 2, second subparagraph of this Article, does not meet the requirements laid down in that subparagraph, the regulatory authority shall request the system operator to amend the proposal.</u>	3. The actual reduction of consumption resulting from the activation of a peak shaving product shall be measured against a baseline, reflecting the expected electricity consumption without the activation of the peak shaving product. Where a transmission system operators operator decides to procure a peak shaving product in accordance with paragraph 1 it shall develop a baseline methodology in consultation with market participants and submit it to the regulatory authority.	3. The actual reduction of consumption resulting from the activation of a peak shaving product shall be measured against a baseline, reflecting the expected electricity consumption without the activation of the peak shaving product. Transmission<u>Where a</u> system operators<u>operator procures a peak shaving product, it</u> shall develop a baseline methodology in consultation with market participants and, <u>where relevant, taking into account the Implementing Act adopted pursuant to Article 59.1.e, and</u> submit it to the regulatory authority <u>for its approval.</u>
Article 1, first paragraph, point (4), amending provision, numbered paragraph (4)				

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106	4. Regulatory authorities shall approve the proposal of the transmission system operators seeking to procure a peak shaving product and the baseline methodology submitted in accordance with paragraphs 2 and 3 or shall request the transmission system operators to amend the proposal where it does not meet the requirements set out in these paragraphs.	<i>deleted</i>	4. Regulatory authorities shall approve the proposal of the transmission system operators seeking to procure a peak shaving product and the baseline methodology submitted in accordance with paragraphs 2 and 3 or shall request the transmission system operators to amend the proposal where it does not meet the requirements set out in these paragraphs.	4. Regulatory authorities shall approve the proposal of the transmission -system operators seeking to procure a peak shaving product and the baseline methodology submitted in accordance with paragraphs 2 and 3 or shall request the transmission system operators to amend the proposal where it does not meet the requirements set out in these paragraphs.
Article 1, first paragraph, point (4), amending provision, numbered paragraph (4a)				
106a				<u>4a. By [six] months after the end of a crisis, the Agency shall assess the impact of using peak shaving products on the European electricity market, after consulting stakeholders. The assessment shall take into consideration the need for these products not to unduly distort the functioning of the electricity markets, and not to cause a redirection of demand response services towards peak shaving products. The Agency may issue recommendations that national regulatory authorities shall take into account in their assessment pursuant to</u>

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				<u>paragraph 2a.</u>
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (4b)			
106b				<u>4b. By June 2025, the Agency shall assess the impact of developing peak shaving products on the European electricity market under normal market circumstances, after consulting stakeholders. The assessment shall take into consideration the need for these products not to unduly distort the functioning of the electricity markets, and not to cause a redirection of demand response services towards peak shaving products. Based on this assessment, the Commission may submit a legislative proposal to amend this Regulation in order to introduce peak shaving products outside electricity price crisis situations.</u>
	Article 1, first paragraph, point (4), amending provision, seventh paragraph			
107	Article 7b	Article 7b	Article 7b	Article 7b
	Article 1, first paragraph, point (4), amending provision, eighth paragraph			
108				

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	Dedicated metering device	Dedicated metering <u>measurement</u> device	Dedicated metering <u>measurement</u> device	Dedicated metering <u>measurement</u> device
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (1)			
109	1. “Member States shall allow transmission system operators and distribution system operators to use data from dedicated metering devices for the observability and settlement of demand response and flexibility services, including from storage systems.	1. “Without prejudice to Article 19 of Directive (EU) 2019/944, Member States shall allow <u>customers and market participants, including independent aggregators, with explicit consent from the owners and users,</u> transmission system operators and distribution system operators to <u>have access and</u> use data from dedicated metering<u>measurement</u> devices for the observability, <u>settlement and flexibility services as well as energy sharing</u> and settlement of demand response and flexibility services, including from <u>demand response and energy</u> storage systems <u>in accordance with the applicable Union data protection and privacy law, in particular Regulation (EU) 2016/679. Such data may be used for research purposes, provided that it has been aggregated and anonymised.</u>	1. “Member States shall allow Upon the consent of the final customer, transmission system operators and distribution system operators to may use data from dedicated metering measurement devices for the observability and settlement of demand response and flexibility services, including from storage systems.	1. “Member States shall allow transmission system operators Without prejudice to Article 19 of Directive (EU) 2019/944, transmission and distribution system operators, and relevant market participants including independent aggregators, may use, upon the consent of the final customer, to use data from dedicated metering <u>measurement</u> devices for the observability and settlement of demand response and flexibility services, including from storage systems. <u>This use of data from dedicated metering devices for the purposes of this article should be in accordance with article 23 and 24 of Directive (EU) 2019/944 and relevant Union legislation, including data protection and privacy law, in particular Regulation (EU) 2016/679. In case the data are used for research purposes, information shall be aggregated and anonymised.</u>

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	Article 1, first paragraph, point (4), amending provision, numbered paragraph (1a)			
109a			2. Where a final customer does not have a smart meter installed or where the smart meter of a final customer does not deliver the necessary data to provide demand response or flexibility services, including through an independent aggregator, transmission system operators and distribution system operators shall accept the data from a dedicated measurement device, where available, for the settlement of demand response and flexibility services, including storage systems, and shall not discriminate against that final customer in their procurement of flexibility services. This obligation shall apply upon the establishment and subject to compliance with the rules and requirements established by the Member States pursuant to paragraph 3.	<u>1a. Where a final customer does not have a smart meter installed or where the smart meter of a final customer does not deliver the necessary data to provide demand response or flexibility services, including through an independent aggregator, transmission system operators and distribution system operators shall accept the data from a dedicated measurement device, where available, for the settlement of demand response and flexibility services, including storage systems, and shall not discriminate against that final customer in their procurement of flexibility services. This obligation shall apply upon the establishment and subject to compliance with the rules and requirements established by the Member States pursuant to paragraph 3.</u>
	Article 1, first paragraph, point (4), amending provision, numbered paragraph (2)			
110				

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	2. Member States shall establish requirements for a dedicated metering device data validation process to check and ensure the quality of the respective data.;	2. Member States shall establish <u>harmonised</u> requirements for a dedicated metering <u>measurement</u> device data validation process to check and ensure the quality <u>and consistency</u> of the respective data, <u>and also the interoperability of new dedicated measurement devices installed after</u> ... <u>[date of entry into force of this amending Regulation], in accordance with Article 23 of Directive (EU) 2019/944 and the procedures set out in the network code adopted pursuant to Article 59(1), point (e), of this Regulation and taking into account the relevant Union law on measurement instruments.</u>	23. Member States shall establish requirements for a dedicated metering <u>measurement</u> device data validation process to check and ensure the quality of the respective data.';	2. Member States shall establish requirements for a dedicated metering <u>measurement</u> device data validation process to check and ensure the quality <u>and consistency</u> of the respective data, <u>and interoperability, in accordance with Articles 23 and 24 of Directive (EU) 2019/944 and relevant Union legislation.</u> ;
Article 1, first paragraph, point (4), amending provision, numbered paragraph (2a)				
110a		<u>2a. Where flexibility interventions are planned through the usage of such dedicated measurement devices, system operators shall be informed to ensure the electricity system stability.';</u>		
Article 1, first paragraph, point (5)				

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111	(5) Article 8 is amended as follows:	(5) Article 8 is amended as follows:	(5) Article 8 is amended as follows:	(5) Article 8 is amended as follows:
Article 1, first paragraph, point (5)(a)				
112	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:
Article 1, first paragraph, point (5)(b)				
114	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:
Article 1, first paragraph, point (5)(b), amending provision, first paragraph				
115	‘NEMOs shall provide products for trading in day-ahead and intraday markets which are sufficiently small in size, with minimum bid sizes of 100kW or less, to allow for the effective participation of demand-side response, energy storage and small-scale renewables including direct participation by customers.’	‘NEMOs shall provide products for trading in day-ahead and intraday markets which are sufficiently small in size, with minimum bid sizes of 100kW <u>100 kW</u> or less, to allow for the effective participation of demand-side <u>demand</u> response, energy storage and small-scale renewables including direct participation by customers, <u>including through aggregation.</u> ’	‘ 3. ‘NEMOs shall provide products for trading in day-ahead and intraday markets which are sufficiently small in size, with minimum bid sizes of 100kW or less, to allow for the effective participation of demand-side response, energy storage and small-scale renewables including direct participation by customers.’	‘NEMOs shall provide products for trading in day-ahead and intraday markets which are sufficiently small in size, with minimum bid sizes of 100kW <u>100 kW</u> or less, to allow for the effective participation of demand-side <u>demand</u> response, energy storage and small-scale renewables including direct participation by customers, <u>as well as through aggregation.</u> ’

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	Article 1, first paragraph, point (6)			
116	(6) Article 9 is replaced by the following:	(6) Article 9 is replaced by the following:	(6) Article 9 is replaced by the following:	(6) Article 9 is replaced by the following:
	Article 1, first paragraph, point (6), amending provision, first paragraph			
117	Article 9	Article 9	Article 9	Article 9
	Article 1, first paragraph, point (6), amending provision, second paragraph			
118	Forward markets	Forward markets	Forward markets	Forward markets
	Article 1, first paragraph, point (6), amending provision, second paragraph a			
118a		<u>-1. By ... [six months after the date of entry into force of this amending Regulation], transmission system operators shall issue long-term transmission rights or have equivalent measures in place to allow market participants, including owners of power-generating facilities using renewable energy, to hedge price risks across bidding zone borders. Long-term transmission rights shall be allocated, in accordance with Regulation (EU) 2016/1719, on</u>		<u>-1. In accordance with Regulation (EU) 2016/1719, transmission system operators shall issue long-term transmission rights or have equivalent measures in place to allow market participants, including owners of power-generating facilities using renewable energy, to hedge price risks, unless an assessment of the forward market on the bidding zone borders performed by the relevant competent regulatory authorities shows that there are</u>

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		<u>a regular basis, in a transparent, market based and non-discriminatory manner, with a range of maturities of up to at least three years ahead. The frequency of allocation of the long-term cross-zonal capacity shall support the efficient functioning of the forward market. The transmission system operators shall develop an approach aiming to increase the volume of cross-zonal capacities in forward markets and liquidity.</u>		<u>sufficient hedging opportunities in the concerned bidding zones.</u>
Article 1, first paragraph, point (6), amending provision, fourth paragraph				
118b		<u>-1a. By ... [12 months after the date of entry into force of this amending Regulation], the Commission, after consulting ENTSO for Electricity and relevant market stakeholders, shall conduct an assessment of the possible implementation of practical solutions addressing hedging needs of market parties. That assessment shall consider at least the following: (a) the frequency of auctions for long-term transmission rights; (b) adequate product</u>		<u>2. Long-term transmission rights shall be allocated, on a regular basis, in a transparent, market based and non-discriminatory manner through a single allocation platform. The frequency of allocation and the maturities of the long-term cross-zonal capacity shall support the efficient functioning of the forward market.</u>

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		<u>maturities for transmission rights extended up to at least three years;</u> <u>(c) the development of a secondary market;</u> <u>(d) adoption of products such as financial transmission rights obligations;</u> <u>(e) the improvement of investors' certainty and consumer price stability;</u> <u>(f) process on full cost-recovery to handle any financial risks and losses arising from these additional measures ensured by the regulatory authority;</u> <u>(g) the timeline for implementation.</u>		
Article 1, first paragraph, point (6), amending provision, numbered paragraph (1)				
119	1. By 1 December 2024 the ENTSO for Electricity shall submit to ACER, after having consulted ESMA, a proposal for the establishment of regional virtual hubs for the forward market. The proposal shall:	1. By 1 December 2024 the... <u>[18 months after the date of entry into force of this amending Regulation], the Commission, after consulting ACER, ENTSO for Electricity and ESMA, including other relevant stakeholders,</u> shall submit to ACER, after having consulted ESMA, a proposal for the European Parliament and to the Council an	1. By 1 December 2024 the ENTSO for Electricity The design of the Union's forward market shall submit to ACER, after having consulted ESMA, a proposal for the establishment of regional virtual hubs for the forward market. The proposal shall be based on regional virtual hubs supported by at least long-term transmission rights issued by transmission	13. By 1 December 2024 the ENTSO for Electricity <u>The design of the Union's forward market</u> shall submit to ACER, after having consulted ESMA, a proposal for the establishment of regional virtual hubs for the forward <u>comprise the necessary tools to improve the ability of market participants to hedge price risks in the internal electricity</u> market. The proposal

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		<u>assessment of the impact of</u> the establishment of regional virtual hubs for the forward market <u>on the functioning of the electricity markets and where appropriate revise the Commission Regulation (EU) 2016/1719 in accordance with Article 59(1). The impact assessment</u> The proposal shall <u>focus, inter alia, on</u> :	system operators, allowing price risk hedging across bidding zones.	shall:
Article 1, first paragraph, point (6), amending provision, numbered paragraph (1a)				
119a				<u>4. Within 18 months from the entry into force of this amending Regulation, the Commission shall, after having consulted relevant stakeholders, assess the impact of possible measures to achieve the objective under paragraph 3 above. This impact assessment shall inter alia cover:</u> <u>(a) possible changes to the frequency of allocation for long-term transmission rights;</u> <u>(b) possible changes to the maturities of these long-term transmission rights, in particular maturities extended up to at least three years;</u> <u>(c) possible changes to the</u>

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				<u>nature of these long-term transmission rights;</u> <u>(d) ways to strengthen the secondary market; and</u> <u>(e) the possible introduction of regional virtual hubs for the forward market.</u>
	Article 1, first paragraph, point (6), amending provision, numbered paragraph (1a), point (-a)			
119b		<u>(-a) determining the impact of regional virtual hubs on at least the forward market, transmission system operators, market participants and end-consumers as well as the potential benefits and drawbacks that regional virtual hubs would bring as compared to the existing zonal model;</u>	2. 24 months after [the entry into force of this Regulation] the Commission shall, after completing an impact assessment, adopt an implementing act in accordance with Article 59, that establishes the design referred to in paragraph 1. This implementing act shall in particular:	<u>5. As regards regional virtual hubs for the forward market, the assessment under paragraph 4 above shall cover the following elements:</u>
	Article 1, first paragraph, point (6), amending provision, numbered paragraph (1a), point (a)			
120	(a) define the geographical scope of the virtual hubs for the forward market, including the bidding zones constituting these hubs, aiming to maximise the price correlation between the reference prices and the prices of the bidding zones constituting virtual hubs;	(a) define the <u>defining the adequate</u> geographical scope of the <u>regional</u> virtual hubs for the forward market , including the bidding zones constituting these hubs <u>and specific situations of bidding zones belonging to two or more virtual hubs</u> , aiming to maximise the price correlation between the reference prices and	(a) include a methodology to define the geographical scope of the regional virtual hubs for the forward market , including the bidding zones constituting these hubs, aiming to maximise the price correlation between the reference prices and the prices of the bidding zones constituting virtual hubs;	(a) define the <u>adequate</u> geographical scope of the <u>regional</u> virtual hubs, <u>including the bidding zones that would constitute these hubs and specific situations of</u> for the forward market, including the bidding zones constituting these <u>belonging to two or more virtual</u> hubs, aiming to

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		the prices of the bidding zones constituting <u>regional</u> virtual hubs;		maximise the price correlation between the reference prices and the prices of the bidding zones constituting <u>regional</u> virtual hubs;
Article 1, first paragraph, point (6), amending provision, numbered paragraph (1a), point (aa)				
120a		<u>(aa) giving due consideration to the level of electricity interconnectivity of Member States, in particular of those Member States below the interconnection targets for 2020 and 2030 laid down in Article 4, point (d)(1), of Regulation (EU) 2018/1999;</u>		<u>(aa) the level of electricity interconnectivity of Member States, in particular of those Member States below the interconnection targets for 2020 and 2030 laid down in Article 4, point (d)(1), of Regulation (EU) 2018/1999;</u>
Article 1, first paragraph, point (6), amending provision, numbered paragraph (1a), point (b)				
121	(b) include a methodology for the calculation of the reference prices for the virtual hubs for the forward market, aiming to maximise the correlations between the reference price and the prices of the bidding zones constituting a virtual hub; such methodology shall be applicable to all virtual hubs and based on predefined objective criteria;	(b) include <u>evaluating</u> a methodology for the calculation of the reference prices for the <u>regional</u> virtual hubs for the forward market, aiming to maximise the correlations between the reference price and the prices of the bidding zones constituting a <u>regional</u> virtual hub; such methodology shall be applicable to all virtual hubs and based on predefined objective criteria;	(b) include a methodology for the calculation of the reference prices for the regional virtual hubs for the forward market, aiming to maximise the correlations between the reference price and the prices of the bidding zones constituting a regional virtual hub; such methodology shall be applicable to all virtual hubs and based on predefined objective criteria;	(b) include a <u>the</u> methodology for the calculation of the reference prices for the <u>regional</u> virtual hubs for the forward market, aiming to maximise the correlations between the reference price and the prices of the bidding zones constituting a <u>regional</u> virtual hub; such methodology shall be applicable to all virtual hubs and based on predefined objective criteria;

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	Article 1, first paragraph, point (6), amending provision, numbered paragraph (1a), point (c)			
122	(c) include a definition of financial long-term transmission rights from bidding zones to the virtual hubs for the forward market;	(c) include <u>including</u> a definition of financial long-term transmission rights from bidding zones to the <u>regional</u> virtual hubs for the forward <u>as financial obligations to enable market participants to hedge their exposure to positive and negative price spreads, including as regards to volumes and maturities, and the need to offer trading of long-term transmission rights between each bidding zone and the regional virtual hub;</u>	(c) include a definition of financial long-term transmission rights from between bidding zones to the and the regional virtual hubs for the forward as financial obligations to enable market participants to hedge their exposure to positive and negative price spreads, including as regards to volumes and maturities;	(c) include a definition of financial long-term transmission rights from <u>the possibility for</u> bidding zones to the virtual hubs for the forward market <u>form part of more than one regional virtual hub;</u>
	Article 1, first paragraph, point (6), amending provision, numbered paragraph (1a), point (d)			
123	(d) maximise the trading opportunities for hedging products referencing the virtual hubs for the forward market as well as for long term transmission rights from bidding zones to virtual hubs.	(d) <u>how to</u> maximise the trading opportunities for hedging products referencing the <u>regional</u> virtual hubs for the forward market as well as for long term transmission rights from bidding zones to <u>regional</u> virtual hubs.;	(d) maximise the trading opportunities for hedging products referencing the regional virtual hubs for the forward market as well as for long term transmission rights from bidding zones to regional virtual hubs.;	(d) maximise the way to <u>maximise</u> trading opportunities for hedging products referencing the <u>regional</u> virtual hubs for the forward market as well as for long term transmission rights from bidding zones to <u>regional</u> virtual hubs.;
	Article 1, first paragraph, point (6), amending provision, numbered paragraph (1a), point (da)			
123a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>(da) specifying how the single allocation platform referred to in paragraph 3 shall offer allocation and facilitate trading of long-term transmission rights;</u>	(e) specify how the single allocation platform referred to in paragraph 3 shall offer allocation and facilitate trading of long-term transmission rights.	<u>(da) the ways to ensure that the single allocation platform referred to in paragraph 2 shall offer allocation and facilitate trading of long-term transmission rights.</u>
Article 1, first paragraph, point (6), amending provision, numbered paragraph (2)				
124	2. Within six months of receipt of the proposal on the establishment of the regional virtual hubs for the forward market, ACER shall evaluate it and either approve or amend it. In the latter case, ACER shall consult the ENTSO for Electricity before adopting the amendments. The adopted proposal shall be published on ACER's website.	<i>deleted</i>	<i>deleted</i>	26. Within six months of receipt of the proposal on the establishment of the regional virtual hubs for the forward market, ACER shall evaluate it and either approve or amend it. In the latter case, ACER shall consult the ENTSO for Electricity before adopting the amendments. The adopted proposal shall be published on ACER's website <u>Based on the outcome of this assessment, the Commission shall, within 24 months from the entry into force of this amending Regulation, adopt an implementing act in accordance with Article 59(1) to further detail the specific measures and tools to achieve the objectives in paragraph 3 and their precise features.</u>
Article 1, first paragraph, point (6), amending provision, numbered paragraph (3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
125	3. The single allocation platform established in accordance with Regulation (EU) 2016/1719 shall have a legal form as referred to in Annex II to Directive (EU) 2017/1132 of the European Parliament and of the Council.	3. The single allocation platform established in accordance with Regulation (EU) 2016/1719 shall <u>act as an entity offering allocation and facilitating trading of long-term transmission rights on behalf of the transmission system operators. It shall</u> have a legal form as referred to in Annex II to Directive (EU) 2017/1132 of the European Parliament and of the Council.	3. The single allocation platform established in accordance with Regulation (EU) 2016/1719 shall act as an entity offering allocation and facilitating trading of long-term transmission rights on behalf of transmission system operators. It shall have a legal form as referred to in Annex II to Directive (EU) 2017/1132 of the European Parliament and of the Council ¹ . 1. Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (OJ L 169, 30.6.2017, p. 46).	3 7. The single allocation platform established in accordance with Regulation (EU) 2016/1719 shall <u>act as an entity offering allocation and facilitating trading of long-term transmission rights on behalf of the transmission system operators. It shall</u> have a legal form as referred to in Annex II to Directive (EU) 2017/1132 of the European Parliament and of the Council.
Article 1, first paragraph, point (6), amending provision, numbered paragraph (4)				
126	4. The single allocation platform shall:	4. The single allocation platform shall:	<i>deleted</i>	<i>deleted</i>
Article 1, first paragraph, point (6), amending provision, numbered paragraph (4), point (a)				
127	(a) offer trading of long-term transmission rights between each bidding zone and virtual hub; where a bidding zone is not part of a virtual hub it may issue financial long-term transmission	(a) offer trading of long-term transmission rights between each bidding zone and, <u>where relevant, regional</u> virtual hub; where a bidding zone is not part of a virtual hub it may issue	<i>deleted</i>	<i>deleted</i>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	rights to a virtual hub or to other bidding zones that are part of the same capacity calculation region;	financial long-term transmission rights to a virtual hub or to other bidding zones that are part of the same capacity calculation region;		
<i>Article 1, first paragraph, point (6), amending provision, numbered paragraph (4), point (b)</i>				
128	(b) allocate long-term cross-zonal capacity on a regular basis and in a transparent, market-based and non-discriminatory manner; the frequency of allocation of the long-term cross-zonal capacity shall support the efficient functioning of the forward market;	(b) allocate long-term cross-zonal capacity on a regular basis and in a transparent, market-based and non-discriminatory manner; the frequency of allocation of the long-term cross-zonal capacity shall support the efficient functioning of the forward market;	<i>deleted</i>	<i>deleted</i>
<i>Article 1, first paragraph, point (6), amending provision, numbered paragraph (4), point (c)</i>				
129	(c) offer trading of financial transmission rights that shall allow holders of these financial transmission rights to remove exposure to positive and negative price spreads, and with frequent maturities of up to at least three years ahead.	(c) offer trading of financial transmission rights that shall allow holders of these financial transmission rights to remove exposure to positive and negative price spreads, and with frequent maturities of up to at least three years ahead.	<i>deleted</i>	<i>deleted</i>
<i>Article 1, first paragraph, point (6), amending provision, numbered paragraph (5)</i>				
130	5. Where a regulatory authority	5. Where a regulatory authority.	5. Where a regulatory authority	5. Where a regulatory

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	considers that there are insufficient hedging opportunities available for market participants, and after consultation of relevant financial market competent authorities in case the forward markets concern financial instruments as defined under Article 4(1)(15), it may require power exchanges or transmission system operators to implement additional measures, such as market-making activities, to improve the liquidity of the forward market. Subject to compliance with Union competition law and with Directive (EU) 2014/65 and Regulations (EU) 648/2012 and 600/2014, market operators shall be free to develop forward hedging products, including long-term forward hedging products, to provide market participants, including owners of power-generating facilities using renewable energy sources, with appropriate possibilities for hedging financial risks against price fluctuations. Member States shall not require that such hedging activity may be limited to trades within a Member State or bidding zone.	<u>on the basis of the assessment referred to in paragraph 1 of this Article</u> considers that there are insufficient hedging opportunities available for market participants, and after consultation of relevant financial market competent authorities in case the forward markets concern financial instruments as defined under<u>in</u> Article 4(1), <u>point (15), of Directive (EU) 2014/65, regulatory authorities⁽¹⁵⁾, it</u> may require power exchanges or transmission system operators to implement additional measures, such as market-making activities, to improve the liquidity of the forward market. Subject to compliance with Union competition law and with Directive (EU) 2014/65 and Regulations (EU) 648/2012<u>No 648/2012</u> and 600/2014, market operators shall be free to develop forward hedging products, including long-term forward hedging products, to provide market participants, including owners of power-generating facilities using renewable energy sources, with appropriate possibilities for hedging financial risks against	considers that there are insufficient hedging opportunities available for market participants, and after consultation of relevant financial market competent authorities in case the forward markets concern financial instruments as defined under Article 4(1)<u>point (15) of Article 4(1) of Directive 2014/65/EU of the European Parliament and of the Council¹</u>, it may require power exchanges or transmission system operators to implement additional measures, such as market-making activities, to improve the liquidity of the forward market. Subject to compliance with Union competition law and with Directive (EU) 2014/65 and Regulations (EU) 648/2012 and 600/2014, market operators shall be free to develop forward hedging products, including long-term forward hedging products, to provide market participants, including owners of power-generating facilities using renewable energy sources, with appropriate possibilities for hedging financial risks against price fluctuations. Member States shall not require that such	authority considers that there are insufficient hedging opportunities available for market participants, and after consultation of relevant financial market competent authorities in case the forward markets concern financial instruments as defined under Article 4(1)<u>point (15) of Article 4(1) of Directive 2014/65/EU of the European Parliament and of the Council¹</u>, it may require power exchanges or transmission system operators to implement additional measures, such as market-making activities, to improve the liquidity of the forward market. Subject to compliance with Union competition law and with Directive (EU) 2014/65 and Regulations (EU) 648/2012 and 600/2014, market operators shall be free to develop forward hedging products, including long-term forward hedging products, to provide market participants, including owners of power-generating facilities using renewable energy sources, with appropriate possibilities for hedging financial risks against price fluctuations. Member States shall not require that such

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		price fluctuations. Member States shall not require that such hedging activity may be limited to trades within a Member State or bidding zone. -3	hedging activity may be limited to trades within a Member State or bidding zone. 1. Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349).	to trades within a Member State or bidding zone:
Article 1, first paragraph, point (6), amending provision, numbered paragraph (5a)				
G 130a			6. Subject to compliance with Union competition law and with Directive (EU) 2014/65 and Regulations (EU) 648/2012 of the European Parliament and of the Council ¹ and 600/2014 of the European Parliament and of the Council ² , market operators may develop forward hedging products, including long-term forward hedging products, to provide market participants, including owners of power-generating facilities using renewable energy sources, with appropriate possibilities for hedging financial risks against price fluctuations. Member States shall not require that such hedging	<u>9. Subject to compliance with Union competition law and with Directive (EU) 2014/65 and Regulations (EU) 648/2012 of the European Parliament and of the Council and 600/2014 of the European Parliament and of the Council, market operators may develop forward hedging products, including long-term forward hedging products, to provide market participants, including owners of power-generating facilities using renewable energy sources, with appropriate possibilities for hedging financial risks against price fluctuations. Member States shall not require that such hedging activity may be limited</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			activity may be limited to trades within a Member State or bidding zone. 1. Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories (OJ L 201, 27.7.2012, p. 1). 2. Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012 (OJ L 173, 12.6.2014, p. 84)	<u>to trades within a Member State or bidding zone.</u>
	Article 1, first paragraph, point (7)			
131	(7) Article 18 is amended as follows:	(7) Article 18 is amended as follows:	(7) Article 18 is amended as follows:	(7) Article 18 is amended as follows:
	Article 1, first paragraph, point (7)(a)			
132	(a) paragraph 2 is replaced by the following:	(a) paragraph 2 is replaced by the following:	(a) paragraph 2 is replaced by the following:	(a) paragraph 2 is replaced by the following:
	Article 1, first paragraph, point (7)(aa), amending provision, first paragraph			
133b		" <u>3. Where appropriate, the level of the tariffs applied to producers or final customers, or both shall provide locational</u>		' <u>Where appropriate, the level of the tariffs applied to producers or final customers, or both shall provide locational investment</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>investment signals, such as incentives via tariff structure, to reduce re-dispatching and power grid reinforcement costs, at Union level, and take into account the amount of network losses and congestion caused, and investment costs for infrastructure.</u> ’;		<u>signals at Union level, such as incentives via tariff structure to reduce re-dispatching and power grid reinforcement costs and take into account the amount of network losses and congestion caused, and investment costs for infrastructure.</u> ’;
	Article 1, first paragraph, point (7)(b)			
134	(b) paragraph 8 is replaced by the following:	(b) paragraph 8 is replaced by the following:	(b) paragraph 8 is replaced by the following:	(b) paragraph 8 is replaced by the following:
	Article 1, first paragraph, point (7)(c)			
136	(c) in paragraph 9, point (f) is replaced by the following:	(c) in paragraph 9, point (f) is replaced by the following:	(c) in paragraph 9, point (f) is replaced by the following:	(c) in paragraph 9, point (f) is replaced by the following:
	Article 1, first paragraph, point (7)(c), amending provision, first paragraph			
137	(f) methods to ensure transparency in the setting and structure of tariffs, including anticipatory investments;	(f) methods to ensure transparency in the setting and structure of tariffs, including anticipatory investments <u>determined in close consultation with relevant stakeholders, including from transport and heating and</u>	(f) methods to ensure transparency in the setting and structure of tariffs, including anticipatory investments;	(f) methods to ensure transparency in the setting and structure of tariffs, including anticipatory investments <u>determined after consultation to relevant stakeholders, consistent with relevant Union and national energy objectives</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>cooling sector, in line with the relevant Union and national energy objectives, and take into account the acceleration areas as defined in Article 2, point (9a), of Directive (EU) 2018/2001;</u>		<u>and taking into account the acceleration areas as established in accordance with the Directive (EU) 2018/2001 on the promotion of renewable energy sources;</u>
Article 1, first paragraph, point (8)				
140	(8) in Article 19, paragraph 2 is amended as follows:	(8) in Article 19, paragraph 2 is amended as follows:	(8) in Article 19, paragraph 2 is amended as follows:	(8) in Article 19, paragraph 2 is amended as follows:
Article 1, first paragraph, point (8)(a)				
141	(a) point (b) is replaced by the following:	(a) point (b) is replaced by the following:	(a) point (b) is replaced by the following:	(a) point (b) is replaced by the following:
Article 1, first paragraph, point (8)(a), amending provision, first paragraph				
142	(b) maintaining or increasing cross-zonal capacities through optimisation of the usage of existing interconnectors by means of coordinated remedial actions, where applicable, or covering costs resulting from network investments that are relevant to reduce interconnector congestion; or	(b) maintaining or <u>maximising and</u> increasing cross-zonal capacities through optimisation of the usage of existing interconnectors by means of coordinated remedial actions, where applicable, or covering costs resulting from network investments that are relevant to reduce interconnector	(b) maintaining or increasing cross-zonal capacities through optimisation of the usage of existing interconnectors by means of coordinated remedial actions, where applicable, or covering costs resulting from network investments that are relevant to reduce interconnector congestion; or	(b) maintaining or increasing cross-zonal capacities through optimisation of the usage of existing interconnectors by means of coordinated remedial actions, where applicable, or covering costs resulting from network investments that are relevant to reduce interconnector congestion; or ² ;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		congestion; or 3		
	Article 1, first paragraph, point (8)(b)			
143	(b) the following point (c) is added:	(b) the following point (c) is added:	(b) the following point (e) is added:	(b) the following point (e) IIIa is added:
	Article 1, first paragraph, point (9)			
145	(9) The following chapter IIIa is inserted:	(9) The following chapter IIIa is inserted:	(9) The following chapter IIIa is inserted:	(9) The following chapter IIIa IIIa is inserted:
	Article 1, first paragraph, point (9), amending provision, first paragraph			
146	Chapter IIIa	Chapter IIIa	Chapter IIIa	Chapter IIIa
	Article 1, first paragraph, point (9), amending provision, second paragraph			
147	Specific investment incentives to achieve the Union's decarbonisation objectives	Specific investment incentives to achieve the Union's decarbonisation objectives	Specific investment incentives to achieve the Union's decarbonisation objectives	Specific investment incentives to achieve the Union's decarbonisation objectives
	Article 1, first paragraph, point (9), amending provision, third paragraph			
148	Article 19a	Article 19a	Article 19a	Article 19a
	Article 1, first paragraph, point (9), amending provision, fourth paragraph			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
149	Power purchase agreements	Power purchase agreements	Power purchase agreements	Power purchase agreements
Article 1, first paragraph, point (9), amending provision, numbered paragraph (5)				
154	5. PPAs shall specify the bidding zone of delivery and the responsibility for securing cross-zonal transmission rights in case of a change of bidding zone in accordance with Article 14.	5. PPAs shall specify the bidding zone of delivery and the responsibility for securing cross-zonal transmission rights in case of a change of bidding zone in accordance with Article 14.	56. PPAs shall specify the bidding zone of delivery and the responsibility for securing cross-zonal transmission rights in case of a change of bidding zone in accordance with Article 14.	5. PPAs shall specify the bidding zone of delivery and the responsibility for securing cross-zonal transmission rights in case of a change of bidding zone in accordance with Article 14.
Article 1, first paragraph, point (9), amending provision, numbered paragraph (6)				
155	6. PPAs shall specify the conditions under which customers and producers may exit from PPAs, such as any applicable exit fees and notice periods, in accordance with Union competition law.	6. PPAs shall specify the conditions under which customers and producers may exit from PPAs, such as any applicable exit fees and notice periods, in accordance with Union competition law.	67. PPAs shall specify the conditions under which customers and producers may exit from PPAs, such as any applicable exit fees and notice periods, in accordance with Union competition law.	6. PPAs shall specify the conditions under which customers and producers may exit from PPAs, such as any applicable exit fees and notice periods, in accordance compliance with Union competition law.
Article 1, first paragraph, point (9), amending provision, numbered paragraph (6b)				
155b		<u>6b. By January 2026 and every two years thereafter, the Commission shall assess whether barriers persist and whether there is sufficient transparency in the PPAs markets.</u>		<u>6b. By January 2026 and every two years thereafter, the Commission shall assess whether barriers persist and whether there is sufficient transparency in the PPAs markets.</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<u><i>The Commission may draw up specific guidance on removal of barriers in the PPA markets, including disproportionate or discriminatory procedures or charges.</i></u>
	Article 1, first paragraph, point (9), amending provision, numbered paragraph (6c)			
G	155c	<u><i>Article 19aa</i></u> <u><i>Union PPA database</i></u>		
	Article 1, first paragraph, point (9), amending provision, numbered paragraph (6d)			
G	155d	<u><i>1. ACER shall establish, maintain, and manage a Union PPA database (the 'Database'). The Database shall function as a digital platform and shall be used to facilitate ACER's and regulatory authorities' monitoring of relevant information on the PPAs signed in the Union. Regulatory authorities may establish similar databases at national level.</i></u>		
	Article 1, first paragraph, point (9), amending provision, numbered paragraph (6e)			
G	155e	<u><i>2. For the purpose of setting up the Database, market</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>participants entering into PPAs, or persons acting on their behalf, shall provide ACER the details of the PPAs. Market participants who have reported records of PPAs in accordance with Regulation (EU) No 1227/2011 and Regulation (EU) No 648/2012 shall not be subject to double reporting obligations relating to those contracts.</u>		
	Article 1, first paragraph, point (9), amending provision, numbered paragraph (6f)			
G	155f	<u>3. On the basis of the information collected, ACER shall publish an annual report on the PPA market at Union and Member State level as part of the monitoring report referred to in Article 15 of Regulation (EU) 2019/942.</u>		G
	Article 1, first paragraph, point (9), amending provision, numbered paragraph (6g)			
G	155g	<u>4. ACER shall develop the technical and functional specifications of the Database, including the interoperable data exchange mechanism for the information exchange with regulatory authorities' and the</u>		G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>format for electronic submissions. ACER shall ensure that the Database is fully operational by ... [12 months after the date of entry into force of this amending Regulation].</u>		
Article 1, first paragraph, point (9), amending provision, numbered paragraph (6h)				
155h		<u>5. The Commission shall, by means of implementing acts, specify the details, timing and form of reporting. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 67(2).</u>		
Article 1, first paragraph, point (9), amending provision, numbered paragraph (6i)				
155i		<u>Article 19ab</u> <u>Voluntary standardised PPAs</u>		<u>Article 19ab</u> <u>Voluntary standardised PPAs and information on PPAs</u>
Article 1, first paragraph, point (9), amending provision, numbered paragraph (6j)				
155j		<u>ACER, together with the NEMOs and, after consulting the relevant stakeholders, shall develop standardised PPAs designed to simplify the</u>		<u>1. 1. ACER shall publish an annual assessment on the PPA market at Union and Member State level as part of the monitoring report referred to in</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>procedure and to match the risk profile of customers of different size. The use of those standardised PPAs shall be voluntary for the contracting parties. Standardised PPAs shall have, inter alia, the following characteristics:</u> <u>(a) offer a variety of short term contract durations, including of up to five years;</u> <u>(b) offer electricity supply at different timeframes;</u> <u>(c) provide different price formulas;</u> <u>(d) consider the load profile required by the customer.</u> <u>The standardised contracts may also specify the conditions under which customers and producers may exit from PPAs, such as any applicable exit fees and notice periods, in accordance with Union competition law.</u>		<u>Article 15 of Regulation (EU) 2019/942.</u> <u>2. By 3 months after the entry into force of this Regulation, ACER shall assess, in close coordination with the relevant institutions and stakeholders, the need to develop and issue standard contracts for Power Purchase Agreements for voluntary use, adapted to the needs of the different categories of counterparties.</u> <u>In case the assessment concludes that there is a the need to develop and issue such an standard contracts, ACER together with the NEMOs and, after consulting the relevant stakeholders, shall develop these standard contracts considering the following elements:</u> <u>- The use of those standard contracts shall be voluntary for the contracting parties.</u> <u>- Standard contracts shall have, inter alia, the following characteristics:</u> <u>a) offer a variety of contract</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<u>durations;</u> <u>b) provide different price formulas;</u> <u>c) consider the offtaker's load profile and the generator's generation profile.</u> <u>To be considered:</u> <u>Addition of a new par. in article 15(4) of ACER Regulation 2019/942 to reflect new tasks in this article:</u> <u>ACER shall, in accordance with Article 19aa of Regulation (EU) 2019/943, issue a report assessing the need to develop and issue standard contracts for Power Purchase Agreements (PPAs) for voluntary use and, if necessary, develop and issue such standard contracts as a best practices report.</u>
	Article 1, first paragraph, point (9), amending provision, eleventh paragraph			
G 156	Article 19b	Article 19b	Article 19b	Article 19b
	Article 1, first paragraph, point (9), amending provision, numbered paragraph (2), point (a)			
G 160	(a) wind energy;	(a) wind energy;	(a) wind energy;	(a) wind energy;

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	Article 1, first paragraph, point (9), amending provision, numbered paragraph (2), point (b)			
161	(b) solar energy;	(b) solar energy;	(b) solar energy;	(b) solar energy;
	Article 1, first paragraph, point (9), amending provision, numbered paragraph (2), point (c)			
162	(c) geothermal energy;	(c) geothermal energy;	(c) geothermal energy;	(c) geothermal energy;
	Article 1, first paragraph, point (9), amending provision, numbered paragraph (2), point (d)			
163	(d) hydropower without reservoir;	(d) hydropower without reservoir;	(d) hydropower without reservoir;	(d) hydropower without reservoir;
	Article 1, first paragraph, point (9), amending provision, numbered paragraph (2), point (e)			
164	(e) nuclear energy;	(e) nuclear energy;	(e) nuclear energy;	(e) nuclear energy;
	Article 1, first paragraph, point (9), amending provision, sixteenth paragraph			
168	Article 19c	Article 19c	Article 19c	Article 19c
	Article 1, first paragraph, point (9), amending provision, seventeenth paragraph			
169	Assessment of flexibility needs	Assessment of flexibility needs	Assessment of flexibility needs	Assessment of flexibility needs
	Article 1, first paragraph, point (9), amending provision, twenty-fifth paragraph			
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	Article 19d	Article 19d	Article 19d	Article 19d
	Article 1, first paragraph, point (9), amending provision, twenty-sixth paragraph			
180	Indicative national objective for demand side response and storage	Indicative national objective <u>objectives</u> for demand side -response and <u>energy</u> storage	Indicative national objective for demand side response and storage <u>non-fossil flexibility</u>	Indicative national objective for demand side response and storage <u>non-fossil flexibility</u>
	Article 1, first paragraph, point (9), amending provision, twenty-eighth paragraph			
182	Article 19e	Article 19e	Article 19e	Article 19e
	Article 1, first paragraph, point (9), amending provision, twenty-ninth paragraph			
183	Flexibility support schemes	Flexibility support schemes	Non-fossil flexibility support schemes	<u>Non-fossil</u> flexibility support schemes
	Article 1, first paragraph, point (9), amending provision, thirty-third paragraph			
187	Article 19f	Article 19f	Article 19f	Article 19f
	Article 1, first paragraph, point (9), amending provision, thirty-fourth paragraph			
188	Design principles for flexibility support schemes	Design principles for flexibility support schemes	Design principles for non-fossil flexibility support schemes	Design principles for <u>non-fossil</u> flexibility support schemes
	Article 1, first paragraph, point (10), amending provision, first paragraph			
200	“	“	“	“

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	(a) , carrying out the coordinated capacity calculation in accordance with the methodologies developed pursuant to the forward capacity allocation guideline, the capacity allocation and congestion management guideline and the electricity balancing guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009;;	(a) , carrying out the coordinated capacity calculation in accordance with the methodologies developed pursuant to the forward capacity allocation guideline, the capacity allocation and congestion management guideline and the electricity balancing guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009;;	(a) , carrying out the coordinated capacity calculation in accordance with the methodologies developed pursuant to the forward capacity allocation guideline, the capacity allocation and congestion management guideline and the electricity balancing guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009;;	(a) , carrying out the coordinated capacity calculation in accordance with the methodologies developed pursuant to the forward capacity allocation guideline, the capacity allocation and congestion management guideline and the electricity balancing guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009;;
	Article 1, first paragraph, point (11)			
201	(11) Article 50 is amended as follows:	(11) Article 50 is amended as follows:	(11) Article 50 is amended as follows:	(11) Article 50 is amended as follows:
	Article 1, first paragraph, point (11)(a)			
202	(a) the following paragraph 4a is added:	(a) the following paragraph 4a is added:	(a) the following paragraph 4a is added:	(a) the following paragraph 4a is added:
	Article 1, first paragraph, point (12)			
205	(12) in Article 57, the following paragraph 3 is added:	(12) in Article 57, the following paragraph 3 is added:	(12) in Article 57, the following paragraph 3 is added:	(12) in Article 57, the following paragraph 3 is added:
	Article 1, first paragraph, point (13)			
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(13) in Article 59 (1), point (b) is replaced by the following:	(13) in Article 59 (1), point (b) is replaced by the following:	(13) in Article 59 (1), point (b) is replaced by the following:	(13) in Article 59 (1), point (b) is replaced by the following:
	Article 1, first paragraph, point (14)			
209	(14) The following Article 69a is added:	(14) The following Article 69a is added:	(14) The following Article 69a is added:	
	Article 1, first paragraph, point (14), amending provision, first paragraph			
210	“ Article 69a	“ Article 69a	“ Article 69a	“ Article 69a
	Article 1, first paragraph, point (14), amending provision, second paragraph			
211	Interaction with Union financial legislation	Interaction with Union financial legislation	Interaction with Union financial legislation	Interaction with Union financial legislation
	Article 1, first paragraph, point (14), amending provision, third paragraph			
212	Nothing in this Regulation shall derogate from the provisions of Directive (EU) 2014/65, Regulation (EU) 648/2012 and Regulation (EU) 600/2014 when market participants or market operators engage in activities related to financial instruments in particular as defined under Article 4(1)(15) of Directive (EU) 2014/65.	Nothing in this Regulation shall derogate from the provisions of Directive (EU) 2014/65, Regulation (EU) 648/2012 and Regulation (EU) 600/2014 when market participants or market operators engage in activities related to financial instruments in particular as defined under Article 4(1)(15) of Directive (EU) 2014/65.	Nothing in this Regulation shall derogate from the provisions of Directive (EU) 2014/65, Regulation (EU) 648/2012 and Regulation (EU) 600/2014 when market participants or market operators engage in activities related to financial instruments in particular as defined under Article 4(1) point (15) of Article 4(1) of Directive (EU) 2014/65.	Nothing in this Regulation shall derogate from the provisions of Directive (EU) 2014/65, Regulation (EU) 648/2012 and Regulation (EU) 600/2014 when market participants or market operators engage in activities related to financial instruments in particular as defined under Article 4(1) point (15) of Article 4(1) of Directive (EU) 2014/65.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	“	“	“	“
	Article 1, first paragraph, point (15)			
213	(15) in Annex I point 1.2 is replaced by the following:	(15) in Annex I point 1.2 is replaced by the following:	(15) in Annex I point 1.2 is replaced by the following:	(15) in Annex I point 1.2 is replaced by the following:
	Article 1, first paragraph, point (15), amending provision, numbered paragraph (1.2)			
214	“ 1.2. Coordinated capacity calculation shall be performed for all allocation timeframes. ”	“ 1.2. Coordinated capacity calculation shall be performed for all allocation timeframes. ”	“ 1.2. Coordinated capacity calculation shall be performed for all allocation timeframes. ”	“ 1.2. Coordinated capacity calculation shall be performed for all allocation timeframes. ”
	Article 2			
215	Article 2 Amendments to Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity	Article 2 Amendments to Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity	Article 2 Article 1 Amendments to Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity In accordance with the General Approach, the Council intends to split the Regulation and Directive into two separate legal acts. Following this, Article 2 would become Article 1 in a separate	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Directive amending Directives (EU) 2018/2001 and (EU) 2019/944. This concerns lines 215 - 320 Directive	
Article 2, first paragraph				
216	Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity is amended as follows:	Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity is amended as follows:	Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity is amended as follows: Directive	
Article 2, first paragraph, point (1)				
217	(1) Article 2 is amended as follows:	(1) Article 2 is amended as follows:	(1) Article 2 is amended as follows: Directive	(1) Article 2 is amended as follows:
Article 2, first paragraph, point (1)(a)				
218	(a) points (8) and (49) is replaced by the following:	(a) points (8) and (49) is replaced by the following:	(a) (a) points (8) and (49) isare replaced by the following: Directive	(a) points (8) and (49) is are replaced by the following:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2, first paragraph, point (1)(a), amending provision, numbered paragraph (49)			
220	(49) 'non-frequency ancillary service' means a service used by a transmission system operator or distribution system operator for steady state voltage control, fast reactive current injections, inertia for local grid stability, short-circuit current, black start capability, island operation capability and peak shaving;"	(49) 'non-frequency ancillary service' means a service used by a transmission system operator or distribution system operator for steady state voltage control, fast reactive current injections, inertia for local grid stability, short-circuit current, black start capability, island operation capability and peak shaving;"	(49) 'non-frequency ancillary service' means a service used by a transmission system operator or distribution system operator for steady state voltage control, fast reactive current injections, inertia for local grid stability, short-circuit current, black start capability, island operation capability and peak shaving;" Directive	<i>deleted</i>
	Article 2, first paragraph, point (1)(b)			
221	(b) the following points are added:	(b) the following points are added:	(b) the following points are added: Directive	(b) the following points are added:
	Article 2, first paragraph, point (1)(b), amending provision, first paragraph			
222	(15a) 'fixed term, fixed price electricity supply contract' means an electricity supply contract between a supplier and a final customer that guarantees	(15a) 'fixed term, fixed price electricity supply contract' means an electricity supply contract between a supplier and a final customer that guarantees	(15a) 'fixed term, fixed price electricity supply contract' means an electricity supply contract between a supplier and a final customer that guarantees	(15a) 'fixed term, fixed price electricity supply contract' means an electricity supply contract between a supplier and a final customer that guarantees

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the same contractual conditions, including the price, while it may, within a fixed price, include a flexible element with for example peak and off peak price variations;	the same contractual conditions <u>during the whole duration of the contract</u> , including the price, while it may, – within a fixed price, <u>and for customers equipped with smart meters</u> include a flexible element with for example peak and off peak price variations, <u>and where changes in the final bill can only result from elements that are not determined by suppliers, such as taxes and levies</u> ;	the same contractual conditions, including the price, during the whole duration of the contract , while it may, – within a fixed price, include a flexible element with for example peak and off peak price variations; Directive	the same contractual conditions, including the price, <u>during the whole duration of the contract</u> , while it may, – within a fixed price, include a flexible element with for example peak and off peak price variations, <u>and where changes in the resulting bill can only result from elements that are not determined by suppliers, such as taxes and levies</u> ;
	Article 2, first paragraph, point (1)(b), amending provision, second paragraph			
223	(10a) ‘energy sharing’ means the self-consumption by active customers of renewable energy either:	(10a) ‘energy sharing’ means the self-consumption by active customers of renewable energy either:	(10a) ‘energy sharing’ means the self-consumption by active customers of renewable energy either: Directive	(10a) ‘energy sharing’ means the self-consumption by active customers of renewable energy either:
	Article 2, first paragraph, point (1)(b), amending provision, second paragraph, point (a)			
224	(a) generated or stored offsite or on sites between them by a facility they own, lease, rent in whole or in part; or	(a) generated or stored offsite or on sites between them by a facility they own, lease, – rent in whole or in part; or	(a) generated or stored offsite or on sites between them by a facility they own, lease, rent in whole or in part; or Directive	(a) generated or stored offsite or on sites between them by a facility they own, lease, rent in whole or in part; or
	Article 2, first paragraph, point (1)(b), amending provision, second paragraph, point (b)			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
225	(b) the right to which has been transferred to them by another active customer whether free of charge or for a price.	(b) the right to which has been transferred to them by another active customer whether free of charge or for a price.	(b) the right to which has been transferred to them by another active customer whether free of charge or for a price. Directive	(b) the right to which has been transferred to them by another active customer whether free of charge or for a price.
Article 2, first paragraph, point (1)(b), amending provision, third paragraph				
226	(10b) ‘peer-to-peer trading’ of renewable energy means peer-to-peer trading as defined in point (18) of Article 2 of Directive (EU) 2018/2001.	(10b) ‘peer-to-peer trading’ of renewable energy means peer-to-peer trading as defined in point (18) of Article 2 of Directive (EU) 2018/2001.	<i>deleted</i> Directive	
Article 2, first paragraph, point (1)(b), amending provision, fourth paragraph				
227	(24a) ‘supplier of last resort’ means a supplier who is designated by a Member State to take over the supply of electricity to customers of a supplier which has ceased to operate; ”	(24a) ‘supplier of last resort’ means a supplier who is designated by a Member State to take over the supply of electricity to customers of a supplier which has ceased to operate; ”	(24a) ‘supplier of last resort’ means a supplier who is designated by a Member State to take over the supply of electricity to customers of a supplier which has ceased to operate; Directive	(24a) ‘supplier of last resort’ means a supplier who is designated by a Member State to take over the supply of electricity to customers of a supplier which has ceased to operate;
Article 2, first paragraph, point (1)(ba)				
227b				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>(ba) point (49) is replaced by the following:</u>	Directive	
	Article 2, first paragraph, point (1)(ba), amending provision, first paragraph			
G 227c		" <u>(49) 'non-frequency ancillary service' means a service used by a transmission system operator or distribution system operator for steady state voltage control, fast reactive current injections, inertia for local grid stability, short-circuit current, black start capability, island operation capability and peak shaving;</u> "	Directive	
	Article 2, first paragraph, point (1)(bb)			
G 227d		<u>(bb) point (31) is replaced by the following:</u>	Directive	
	Article 2, first paragraph, point (1)(bb), amending provision, first paragraph			
G 227e		" <u>(31) 'energy from renewable sources' or 'renewable energy' means energy from renewable sources or renewable energy as defined in Article 2, point (1), of Directive (EU) 2018/2001;</u> "	Directive	<u>(31) 'energy from renewable sources' or 'renewable energy' means energy from renewable sources or renewable energy as defined in Article 2, point (1), of Directive (EU) 2018/2001, as</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		"		<u>amended by Directive 2023/2413;</u>
Article 2, first paragraph, point (2)				
228	(2) Article 4 is replaced by the following:	(2) Article 4 is replaced by the following:	(2) Article 4 is replaced by the following: Directive	(2) Article 4 is replaced by the following:
Article 2, first paragraph, point (2), amending provision, first paragraph				
229	“ Article 4	“ Article 4	“ Article 4 Directive	“ Article 4
Article 2, first paragraph, point (2), amending provision, second paragraph				
230	Free choice of supplier	Free choice of supplier	Free choice of supplier Directive	Free choice of supplier ”
Article 2, first paragraph, point (3)				
232	(3) Article 11 is amended as follows:	(3) Article 11 is amended as follows:	(3) Article 11 is amended as follows: Directive	(3) Article 11 is amended as follows:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2, first paragraph, point (3)(a)			
233	(a) the title is replaced by the following:	(a) the title is replaced by the following:	(a) the title is replaced by the following: Directive	(a) the title is replaced by the following:
	Article 2, first paragraph, point (3)(a), amending provision, first paragraph			
234	‘ Entitlement to a fixed term, fixed price and dynamic electricity price contract; ,’	‘ Entitlement to a fixed term, fixed price <u>electricity supply contract</u> and dynamic electricity price contract; ,’	‘ Entitlement to a fixed term, fixed price and dynamic electricity price contract; , Directive	‘ Entitlement to a fixed term, fixed price <u>electricity supply contract</u> and dynamic electricity price contract; ,’
	Article 2, first paragraph, point (3)(b)			
235	(b) paragraph 1 is replaced by the following:	(b) paragraph 1 is replaced by the following:	(b) paragraph 1 is replaced by the following: Directive	(b) paragraph 1 is replaced by the following:
	Article 2, first paragraph, point (3)(b), amending provision, numbered paragraph (1)			
236	‘ 1. Member States shall ensure that the national regulatory framework enables suppliers to	‘ 1. Member States shall ensure that the national regulatory framework enables suppliers to	‘ 1. Member States shall ensure that the national regulatory framework enables suppliers to	‘ 1. Member States shall ensure that the national regulatory framework enables suppliers to

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	offer fixed-term, fixed-price contracts and dynamic electricity price contracts. Member States shall ensure that final customers who have a smart meter installed can request to conclude a dynamic electricity price contract and that all final customers can request to conclude a fixed-term, fixed-price electricity price contract of a duration of at least one year, with at least one supplier and with every supplier that has more than 200 000 final customers.	offer fixed-term, fixed-price <u>electricity supply</u> contracts and dynamic electricity price contracts. <u>By ... [the date of entry into force of this amending Regulation]</u>, Member States shall ensure that final customers who have a smart meter installed can request to conclude a dynamic electricity price contract and that all final customers can request to conclude a fixed-term, fixed-price electricity price<u>supply</u> contract of a duration of at least one year, with at least one supplier and with every supplier that has more than 200 000 final customers.	offer fixed-term, fixed-price contracts and dynamic electricity price contracts. Member States shall ensure that final customers who have a smart meter installed can request to conclude a dynamic electricity price contract and that all final customers can request to conclude a fixed-term, fixed-price electricity price contract of a duration of at least one year, with at least one supplier and with every supplier that has more than 200 000 final customers. By way of derogation from the first subparagraph, Member States may exempt a supplier with more than 200 000 final customers from the obligation to offer fixed term fixed price contracts if that supplier only offers dynamic price contracts and the exemption does not have a negative impact on competition or sufficient choice of fixed term fixed price contract for customers. Directive	offer fixed-term, fixed-price <u>electricity supply</u> contracts and dynamic electricity price contracts. Member States shall ensure that final customers who have a smart meter installed can request to conclude a dynamic electricity price contract and that all final customers can request to conclude a fixed-term, fixed-price electricity price<u>supply</u> contract of a duration of at least one year, with at least one supplier and with every supplier that has more than 200 000 final customers. <u>By way of derogation from the first subparagraph, Member States may exempt a supplier with more than 200 000 final customers from the obligation to offer fixed term fixed price contracts if:</u> <u>a) that supplier only offers dynamic price contracts, and;</u> <u>b) the exemption does not have a negative impact on competition, and;</u> <u>c) there remains sufficient choice of fixed term fixed price contract for customers.</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<u>Member States shall ensure that suppliers do not modify unilaterally the terms and conditions of fixed-term, fixed-price electricity supply contracts or terminate them before their maturity.</u>
Article 2, first paragraph, point (3)(c)				
237	(c) the following paragraph 1a is inserted:	(c) the following paragraph <u>paragraphs are</u> is inserted:	(c) the following paragraph 1a is inserted: Directive	
Article 2, first paragraph, point (3)(c), amending provision, first paragraph				
238	1a. Prior to the conclusion or extension of any contract, final customers shall be provided with a summary of the key contractual conditions in a prominent manner and in concise and simple language. This summary shall include at least information on total price, promotions, additional services, discounts and include the rights referred to in points (a), (b), (d), (e) and (f) of Article 10(3). The Commission shall provide	1a. Prior to the conclusion or extension of any contract, final customers <u>By way of derogation from Article 10(4), Member States</u> shall be provided with a summary of the key contractual conditions in a prominent manner and in concise and simple language. This summary shall include at least information on total price, promotions, additional services, discounts and include the rights referred to in points (a), (b), (d),	1a. Prior to the conclusion or extension of any contract, final customers shall be provided with a summary of the key contractual conditions in a prominent manner and in concise and simple language. This summary shall include at least information on total price and its breakdown, promotions, additional services, and discounts and includes shall set out the rights referred to in points (a), (b), (d), (e) and (f) of	1a. Prior to the conclusion or extension of any contract, final customers shall be provided with a summary of the key contractual conditions in a prominent manner and in concise and simple language. This summary shall include at least information on total price, promotions, additional services, discounts and include the rights referred to in points (a), (b), (d), (e) and (f) of <u>its breakdown, explanation on whether the</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	guidance in this regard.	(e) and (f) of Article 10(3). The Commission shall provide guidance in this regard <u>ensure that suppliers do not modify unilaterally the terms and conditions of fixed-term, fixed-price electricity supply contracts or terminate them before their end.</u>	Article 10(3). The Commission shall provide guidance in this regard. Directive	<u>price is fixed, variable or dynamic, supplier's email address and a consumer support hotline and, where relevant, one-time payments, promotions, additional services and discounts and shall set out the rights referred to in</u> Article 10(3) <u>and 10(4).</u> The Commission shall provide guidance in this regard.
Article 2, first paragraph, point (3)(c), amending provision, first paragraph a				
238a		<u>1b Member States shall ensure that final customers with fixed-term, fixed-price electricity supply contracts are not excluded from participating in demand response and energy sharing and from actively contributing to the achievement of the national electricity system flexibility needs.</u>	Directive	<u>1a. Member States shall ensure that final customers with fixed-term, fixed-price electricity supply contracts are not excluded from their participation, when they decide so, in demand response and energy sharing and from actively contributing to the achievement of the national electricity system flexibility needs.</u>
Article 2, first paragraph, point (3)(c), amending provision, third paragraph				
238b		<u>1c Prior to the conclusion or extension of any contract</u>	Directive	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>referred to in paragraph 1, suppliers provide to final customers a summary of the key contractual conditions in a prominent manner and in concise and simple language. That summary shall include at least the following information on:</u>		
	Article 2, first paragraph, point (3)(c), amending provision, third paragraph, point (a)			
238c		<u>(a) total price, its breakdown and, in case of the fixed term, fixed price electricity supply contract - the average price per month over its duration;</u>	Directive	
	Article 2, first paragraph, point (3)(c), amending provision, third paragraph, point (b)			
238d		<u>(b) promotions;</u>	Directive	
	Article 2, first paragraph, point (3)(c), amending provision, third paragraph, point (c)			
238e		<u>(c) additional services;</u>	Directive	
	Article 2, first paragraph, point (3)(c), amending provision, third paragraph, point (d)			
238f		<u>(d) discounts;</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Directive	
	Article 2, first paragraph, point (3)(c), amending provision, third paragraph, point (e)			
238g		<u>(e) contract duration and conditions for termination, including notice period and fees and where relevant, penalties;</u>	Directive	
	Article 2, first paragraph, point (3)(c), amending provision, third paragraph, point (f)			
238h		<u>(f) whether the price is fixed or variable, indexed to wholesale prices; one-time payments where relevant;</u>	Directive	
	Article 2, first paragraph, point (3)(c), amending provision, third paragraph, point (g)			
238i		<u>(g) contact details (including customer service's address, telephone number and email), and</u>	Directive	
	Article 2, first paragraph, point (3)(c), amending provision, third paragraph, point (h)			
238j		<u>(h) the rights referred to in points (a), (b), (d), (e), (f) and (h) of Article 10(3).</u>	Directive	
	Article 2, first paragraph, point (3)(c), amending provision, third paragraph, point (i)			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
238k		<u>The Commission shall provide guidance in this regard.</u> ;	Directive	
Article 2, first paragraph, point (3)(d)				
239	(d) paragraph 2 is replaced by the following:	(d) paragraph 2 is replaced by the following:	(d) paragraph 2 is replaced by the following: Directive	(d) paragraph 2 is replaced by the following:
Article 2, first paragraph, point (3)(d), amending provision, numbered paragraph (2)				
240	2. Member States shall ensure that final customers are fully informed by the suppliers of the opportunities, costs and risks of dynamic electricity price contracts, and shall ensure that suppliers are required to provide information to the final customers accordingly, including with regard to the need to have an adequate electricity meter installed. Regulatory authorities shall monitor the market developments and assess the risks that the new products and services may entail and deal with abusive practices.	2. Member States shall ensure that final customers are fully informed by the suppliers of the opportunities, costs and risks of dynamic electricity price contracts, and shall ensure that suppliers are required to provide information to the final customers accordingly, including with regard to the need to have an adequate electricity meter installed. <u>Member States and</u> regulatory authorities shall monitor the market developments and assess the risks that the new products and services may entail and deal with abusive practices.	2. Member States shall ensure that final customers are fully informed by the suppliers of the opportunities, costs and risks of dynamic electricity price contracts, and shall ensure that suppliers are required to provide information to the final customers accordingly, including with regard to the need to have an adequate electricity meter installed. the respective types of electricity contracts, and shall ensure that suppliers are required to provide information to the final customers accordingly, including with regard to the need to have an adequate electricity meter installed. Regulatory authorities shall monitor the market developments and assess the risks that the new products and services may entail and deal	2. Member States shall ensure that final customers are fully informed by the suppliers of the opportunities, costs and risks of dynamic electricity price contracts, and shall ensure that suppliers are required to provide information to the final customers accordingly, including with regard to the need to have an adequate electricity meter installed. <u>the respective types of</u> price electricity contracts, and shall ensure that suppliers are required to provide information to the final customers accordingly, including with regard to the need to have an adequate electricity meter installed. <u>Regulatory authorities shall:</u> <u>a)</u> monitor the market developments and assess the risks that the new products and

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>Regulatory authorities shall evaluate whether any termination fees of the electricity contracts applied are appropriate and shall take measures against any abusive practices.’;</u>	with abusive practices.” Directive	services may entail and deal with abusive practices. <u>b) take appropriate measures where impermissible termination fees are identified in accordance with Article 12(3).]</u>
Article 2, first paragraph, point (4)				
241	(4) The following Articles are inserted:	(4) The following Articles are inserted:	(4) The following Articles are inserted: Directive	(4) The following Articles are inserted:
Article 2, first paragraph, point (4), amending provision, first paragraph				
242	“ Article 15a”	“ Article 15a”	“ Article 15a” Directive	“ Article 15a”
Article 2, first paragraph, point (4), amending provision, second paragraph				
243	Right to energy sharing	Right to energy sharing	Right to energy sharing Directive	Right to energy sharing
Article 2, first paragraph, point (4), amending provision, numbered paragraph (1), 2.				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
245	(a) Active customers shall be entitled to share renewable energy between themselves based on private agreements or through a legal entity.	(a) <u>1a.</u> Active customers shall be entitled to share renewable energy between themselves based on private agreements or through a legal entity.	(a) <u>2.</u> Active customers shall be entitled to share renewable energy between themselves based on private agreements or through a legal entity. Directive	(a) <u>2.</u> Active customers shall be entitled to share renewable energy between themselves based on private agreements or through a legal entity. <u>Participation in energy sharing cannot constitute part of the primary commercial or professional activity of the customers engaged in energy sharing.</u>
Article 2, first paragraph, point (4), amending provision, numbered paragraph (1), 4.				
247	(c) Member States shall ensure that active customers participating in energy sharing:	(c) <u>1d.</u> Member States shall ensure that active customers participating in energy sharing:	(c) <u>4.</u> Member States shall ensure that active customers participating in energy sharing: Directive	(c) <u>4.</u> Member States shall ensure that active customers participating in energy sharing:
Article 2, first paragraph, point (4), amending provision, numbered paragraph (1), point (g)				
251	(g) are not subject to unfair and discriminatory treatment by market participants or their balance responsible parties;	(g) <u>1f.</u> are not subject to unfair and discriminatory treatment <u>and charges</u> by market participants or their balance responsible parties;	(g) <u>(d)</u> are not subject to unfair and discriminatory treatment by market participants or their balance responsible parties; Directive	(g) <u>1f.</u> are not subject to unfair and discriminatory treatment by market participants or their balance responsible parties;
Article 2, first paragraph, point (4), amending provision, numbered paragraph (1), point (h)				
252				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(h) are informed of the possibility for changes in bidding zones in accordance with Article 14 of Regulation (EU) 2019/943 and of the fact that the right to share energy is restricted to within one and the same bidding zone.	(h) (g) are informed of the possibility for changes in bidding zones in accordance with Article 14 of Regulation (EU) 2019/943 and of the fact that the right to share energy is restricted to within one and the same bidding zone <u>in accordance with paragraph 1;</u>	(h) (e) are informed of the possibility for changes in bidding zones in accordance with Article 14 of Regulation (EU) 2019/943 and of the fact that the right to share energy is restricted to within one and the same bidding zone. Directive	(h) (g) are informed of the possibility for changes in bidding zones in accordance with Article 14 of Regulation (EU) 2019/943 and of the fact that the right to share energy is restricted to within one and the same bidding zone <u>in accordance with paragraph 1.</u>
Article 2, first paragraph, point (4), amending provision, numbered paragraph (1), 5.				
253	(i) Member States shall ensure that relevant transmission or distribution system operators or other designated bodies:	(i) <u>le</u> . Member States shall ensure that relevant transmission or distribution system operators or other designated bodies:	(i) <u>5</u> . Member States shall ensure that relevant transmission or distribution system operators or other designated bodies: Directive	(i) <u>5</u> . Member States shall ensure that relevant transmission or distribution system operators or other designated bodies:
Article 2, first paragraph, point (4), amending provision, fifth paragraph				
257	Article 18a	Article 18a	Article 18a Directive	Article 18a
Article 2, first paragraph, point (4), amending provision, sixth paragraph				
258	Supplier risk management	Supplier risk management	Supplier risk management Directive	Supplier risk management

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2, first paragraph, point (4), amending provision, numbered paragraph (1)			
259	1. National Regulatory Authorities shall ensure that suppliers have in place and implement appropriate hedging strategies to limit the risk of changes in wholesale electricity supply to the economic viability of their contracts with customers, while maintaining liquidity on and price signals from short-term markets.	1. National<u>By ... [six months after the date of entry into force of this amending Regulation], and regularly thereafter,</u> regulatory authorities shall <u>perform regular stress tests to verify the ability of suppliers to face major changes in the market dynamics and their technical and economic capacity to ensure resilience. In addition, in the light of the results of those stress tests, regulatory authorities shall, where appropriate,</u> ensure that suppliers have in place and implement appropriate hedging strategies, <u>taking into account the size of the supplier or its market structure,</u> to limit the risk of changes in wholesale electricity supply to the economic viability of their contracts with customers, while maintaining liquidity on and price signals from short-term markets. <u>Member States shall take effective, competitive, non-discriminatory measures to ensure liquidity in hedging markets, including specific measures to avoid the lack of level playing field. Regulatory</u>	1. National Regulatory authorities, or where a Member State has designated an alternative independent competent authority for that purpose, such designated competent authorities, shall ensure that suppliers have in place and implement appropriate hedging strategies to limit the risk of changes in wholesale electricity supply to the economic viability of their contracts with customers, while maintaining liquidity on and price signals from short-term markets. Directive	1. NationalRegulatory authorities, <u>or where a Member State has designated an alternative independent competent authority for that purpose, such designated competent authority, taking into account the size of the supplier or the market structure and including, if relevant, by carrying out stress tests</u> shall ensure that <u>electricity</u> suppliers: <u>a)</u> have in place and implement appropriate hedging strategies, to limit the risk of changes in wholesale electricity supply to the economic viability of their contracts with customers, while maintaining liquidity on and price signals from short-term markets; <u>b) take all reasonable steps to limit their risk of supply failure.</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>authorities shall assess the impacts of the possibility of introducing specific hedging targets for specific shares of suppliers' portfolios, including as regards volatility of consumer prices.</u>		
Article 2, first paragraph, point (4), amending provision, numbered paragraph (2)				
260	2. Supplier hedging strategies may include the use of power purchase agreements. Where sufficiently developed markets for power purchase agreements exist which allow effective competition, Member States may require that a share of suppliers' risk exposure to changes in wholesale electricity prices is covered using power purchase agreements for electricity generated from renewable energy sources matching the duration of their risk exposure on the consumer side, subject to compliance with Union competition law.	2. Supplier hedging strategies may include the use of power purchase agreements <u>or other appropriate instruments, such as forward contracts</u> . Where sufficiently developed markets for power purchase agreements exist which allow effective competition, Member States may require that a share of suppliers' risk exposure to changes in wholesale electricity prices is covered using power purchase agreements for electricity generated from renewable energy sources matching the duration of their risk exposure on the consumer side, subject to compliance with Union competition law.	2. Supplier hedging strategies may include the use of power purchase agreements. Where sufficiently developed markets for power purchase agreements exist which allow effective competition, Member States may require that a share of suppliers' risk exposure to changes in wholesale electricity prices is covered using power purchase agreements for electricity generated from renewable energy sources matching the duration of their risk exposure on the consumer side, subject to compliance with Union competition law. Directive	2. Supplier hedging strategies may include the use of power purchase agreements <u>or other appropriate instruments, such as forward contracts</u> . Where sufficiently developed markets for power purchase agreements exist which allow effective competition, Member States may require that a share of suppliers' risk exposure to changes in wholesale electricity prices is covered using power purchase agreements for electricity generated from renewable energy sources matching the duration of their risk exposure on the consumer side, subject to compliance with Union competition law.
Article 2, first paragraph, point (4), amending provision, numbered paragraph (3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
261	3. Member States shall endeavour to ensure the accessibility of hedging products for citizen energy communities and renewable energy communities.	3. Member States shall endeavour <u>put in place enabling conditions</u> to ensure the accessibility of hedging products for citizen energy communities and renewable energy communities.	3. Member States shall endeavour to ensure the accessibility of hedging products for citizen energy communities and renewable energy communities.” Directive	3. Member States shall endeavour to ensure the accessibility of hedging products for citizen energy communities and renewable energy communities. <u>and to put in place enabling conditions with this aim</u> ”
Article 2, first paragraph, point (4), amending provision, numbered paragraph (3a)				
261a		<u>3a. Electricity suppliers shall take all reasonable steps to limit their risk of supply failure.</u> ;”	Directive	
Article 2, first paragraph, point (5)				
262	(5) The following Article XX is inserted:	(5) The following Article XX <u>is articles are</u> inserted:	(5) The following Article XX <u>is Articles are</u> inserted: Directive	
Article 2, first paragraph, point (5), amending provision, first paragraph				
263	“ Article 27a	“ Article 27a	“ Article 27a Directive	“ Article 27a

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2, first paragraph, point (5), amending provision, second paragraph			
264	Supplier of last resort	Supplier of last resort	Supplier of last resort Directive	Supplier of last resort
	Article 2, first paragraph, point (5), amending provision, numbered paragraph (1)			
265	1. Member States shall appoint suppliers of last resort at least for household customers. Suppliers of last resort shall be appointed in a fair, open, transparent and non-discriminatory procedure.	1. <u>Where</u> Member States <u>have not already appointed suppliers of last resort, they</u> shall appoint suppliers of last resort at least for household customers. Suppliers of last resort shall be appointed in a fair, open, transparent and non-discriminatory procedure.	1. Member States shall appoint suppliers of last resort implement a supplier regime to ensure continuity of supply at least for household customers. Suppliers of last resort shall be appointed in a fair, open , transparent and non-discriminatory procedure. Directive	1. <u>Where</u> Member States shall appoint <u>have not already put in place a regime for</u> suppliers of last resort, <u>they shall implement such a supplier of last resort regime to ensure continuity of supply</u> at least for household customers. Suppliers of last resort shall be appointed in a fair, open , transparent and non-discriminatory procedure.
	Article 2, first paragraph, point (5), amending provision, numbered paragraph (2)			
266	2. Final customers who are transferred to suppliers of last resort shall not lose their rights as customers, in particular those rights laid down in Articles 4, 10, 11, 12, 14, 18 and 26.	2. Final customers who are transferred to suppliers of last resort shall not lose <u>continue to benefit from all</u> their rights as customers, in particular those rights as laid down in Articles 4, 10, 11, 12, 14, 18 and 26 <u>this Directive</u> .	2. Final customers who are transferred to suppliers of last resort shall not lose their rights as customers, in particular those rights laid down in Articles 4, 10, 11 , 12, 14, 18 and 26. Directive	2. Final customers who are transferred to suppliers of last resort shall not lose <u>continue to benefit from all</u> their rights as customers, in particular those rights as laid down in Articles 4, 10, 11, 12, 14, 18 and 26 <u>this Directive</u> .

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2, first paragraph, point (5), amending provision, numbered paragraph (3)			
267	3. Member States shall ensure that suppliers of last resort promptly communicate the terms and conditions to transferred customers and ensure seamless continuity of service for those customers for at least 6 months.	3. Member States shall ensure that suppliers of last resort promptly communicate the terms and conditions to transferred customers and ensure seamless continuity of service for those customers for at least 6 months <u>the period needed to find a new supplier</u> .	3. Member States shall ensure that suppliers of last resort promptly communicate the terms and conditions to transferred customers and ensure seamless continuity of service for those customers for at least 6 months. Directive	3. Member States shall ensure that suppliers of last resort promptly communicate the terms and conditions to transferred customers and ensure seamless continuity of service for those customers for <u>the period needed to find a new supplier, and</u> at least 6 months.
	Article 2, first paragraph, point (5), amending provision, numbered paragraph (4)			
268	4. Member States shall ensure that final customers are provided with information and encouragement to switch to a market-based offer.	4. Member States shall ensure that final customers are provided with information and encouragement to switch to a market-based offer.	4. Member States shall ensure that final customers are provided with information and encouragement to switch to a market-based offer. Directive	4. Member States shall ensure that final customers are provided with information and encouragement to switch to a market-based offer.
	Article 2, first paragraph, point (5), amending provision, numbered paragraph (5)			
269	5. Member States may require the supplier of last resort to supply electricity to household customers who do not receive market based offers. In such cases, the conditions set out in Article 5 shall apply.”	5. Member States may require the supplier of last resort to supply electricity to household customers <u>and SMEs</u> who do not receive market based offers. In such cases, the conditions set out in Article 5 shall apply.”	5. Member States may require the a supplier of last resort to supply electricity to household customers who do not receive market based offers. In such cases, the conditions set out in Article 5 shall apply.”	5. Member States may require the a supplier of last resort to supply electricity to household customers <u>and small and medium enterprises</u> who do not receive market based offers. In such cases, the conditions set out in Article 5 shall apply.”

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Directive	
Article 2, first paragraph, point (5), amending provision, eighth paragraph				
270	Article 28a	Article 28a	Article 28a Directive	Article 28a
Article 2, first paragraph, point (5), amending provision, ninth paragraph				
271	Protection from disconnections for vulnerable customers	Protection from disconnections for vulnerable customers	Protection from disconnections for vulnerable customers Directive	Protection from disconnections for vulnerable customers
Article 2, first paragraph, point (6)				
273	(6) in Article 27, paragraph 1 is replaced by the following:	(6) in Article 27, paragraph 1 is replaced by the following:	(6) in Article 27, paragraph 1 is replaced by the following: Directive	(6) in Article 27, paragraph 1 is replaced by the following:
Article 2, first paragraph, point (6), amending provision, numbered paragraph (1)				
274	“ 1. Member States shall ensure that all household customers, and, where Member States consider it appropriate, small enterprises, enjoy universal service, namely the right to be	“ 1. Member States shall ensure that all household customers, and, where Member States consider it appropriate, small enterprises, enjoy universal service, namely the right to be	“ 1. Member States shall ensure that all household customers, and, where Member States consider it appropriate, small enterprises, enjoy universal service, namely the right to be	“ 1. Member States shall ensure that all household customers, and, where Member States consider it appropriate, small enterprises, enjoy universal service, namely the right to be

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	supplied with electricity of a specified quality within their territory at competitive, easily and clearly comparable, transparent and non-discriminatory prices. To ensure the provision of universal service, Member States shall impose on distribution system operators an obligation to connect customers to their network under terms, conditions and tariffs set in accordance with the procedure laid down in Article 59(7). This Directive does not prevent Member States from strengthening the market position of the household customers and small and medium-sized non-household customers by promoting the possibilities for the voluntary aggregation of representation for that class of customers. ”	supplied with electricity of a specified quality within their territory at competitive, easily and clearly comparable, transparent and non-discriminatory prices. To ensure the provision of universal service,— Member States shall impose on distribution system operators an obligation to connect customers to their network under terms, conditions and tariffs set in accordance with the procedure laid down in Article 59(7). This Directive does not prevent Member States from strengthening the market position of the household customers and small and medium-sized non-household customers by promoting the possibilities for the voluntary aggregation of representation for that class of customers.”	supplied with electricity of a specified quality within their territory at competitive, easily and clearly comparable, transparent and non-discriminatory prices. To ensure the provision of universal service,— Member States shall impose on distribution system operators an obligation to connect customers to their network under terms, conditions and tariffs set in accordance with the procedure laid down in Article 59(7). This Directive does not prevent Member States from strengthening the market position of the household customers and small and medium-sized non-household customers by promoting the possibilities for the voluntary aggregation of representation for that class of customers.” Directive	supplied with electricity of a specified quality within their territory at competitive, easily and clearly comparable, transparent and non-discriminatory prices. To ensure the provision of universal service,— Member States shall impose on distribution system operators an obligation to connect customers to their network under terms, conditions and tariffs set in accordance with the procedure laid down in Article 59(7). This Directive does not prevent Member States from strengthening the market position of the household customers and small and medium-sized non-household customers by promoting the possibilities for the voluntary aggregation of representation for that class of customers.”
Article 2, first paragraph, point (7)				
275	(7) In Article 31, paragraph 3 is replaced by the following:	(7) In Article 31, paragraph 3 is replaced by the following:	(7) In Article 31, paragraph 3 is replaced by the following: Directive	(7) In Article 31, paragraph 3 is replaced by the following:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2, first paragraph, point (7), amending provision, numbered paragraph (3a)			
G 277a		<u>Distribution system operators shall provide system users the option to request grid connection and submit relevant documents exclusively in digital form. The Commission shall review the national standards by ... [12 months after the date entry into force of this amending Regulation] and shall submit a proposal for harmonised standards.'</u>	Directive	<u>3a. Distribution system operators shall provide system users the option to request grid connection and submit relevant documents exclusively in digital form.</u>
	Article 2, first paragraph, point (7a)			
G 277c		<u>(7a) in Article 33, paragraph 1 is replaced by the following:</u>	Directive	<u>(7a) in Article 33, paragraph 1 is replaced by the following:</u>
	Article 2, first paragraph, point (7), amending provision, numbered paragraph (3c)			
G 277d		" <u>1. Without prejudice to Directive 2014/94/EU of the European Parliament and of the Council¹, Member States shall provide the necessary regulatory framework to facilitate the connection of</u>	Directive	<u>3c. Without prejudice to Directive 2014/94/EU, Member States shall provide the necessary regulatory framework to facilitate the connection of publicly accessible and private recharging points with smart</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>publicly accessible and private recharging points with smart charging functionalities and bidirectional charging functionalities in accordance with Article 20a of Directive (EU) 2018/2001 to the distribution networks. Member States shall ensure that distribution system operators cooperate on a non-discriminatory basis with any undertaking that owns, develops, operates or manages recharging points for electric vehicles, including with regard to connection to the grid. Member States shall ensure that distribution system operators connect system users within six months when no grid reinforcement is needed, and one year, if reinforcement is needed, without prejudice to the relevant public consultation and environmental impact assessments where applicable.</u>’; 11 <u>1. Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ L 307 28.10.2014, p. 1).</u>		<u>charging functionalities and bidirectional charging functionalities in accordance with Article 20a of Directive (EU) 2018/2001 to the distribution networks. Member States shall ensure that distribution system operators cooperate on a non-discriminatory basis with any undertaking that owns, develops, operates or manages recharging points for electric vehicles, including with regard to connection to the grid.</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2, first paragraph, point (8)			
278	(8) Article 40 is amended as follows:	(8) Article 40 is amended as follows:	(8) In Article 40, the following paragraph is inserted — amended as follows: Directive	(8) <u>In Article 40, the following paragraph is inserted</u> — is amended as follows:
	Article 2, first paragraph, point (8)(a)			
279	(a) a new paragraph is added after paragraph 6:	(a) a new paragraph is added after paragraph 6:	<i>deleted</i> Directive	
	Article 2, first paragraph, point (8)(a), amending provision, first paragraph			
280	“ The requirements in paragraphs 5 and 6 shall not apply with regard to the peak shaving product procured in accordance with Article 7a of Regulation (EU) 2019/943. ”	“ The requirements in paragraphs 5 and 6 shall not apply with regard to the peak shaving product procured in accordance with Article 7a of Regulation (EU) 2019/943. ”	“ 6a. The requirements in paragraphs 5 and 6 shall not apply with regard to the peak shaving product procured in accordance with Article 7a of Regulation (EU) 2019/943.” Directive	“ <u>6a.</u> The requirements in paragraphs 5 and 6 shall not apply with regard to the peak shaving product procured in accordance with Article 7a of Regulation (EU) 2019/943.—” ”
	Article 2, first paragraph, point (9)			
281	(9) Article 59 is amended as follows:	(9) Article 59 is amended as follows:	(9) Article 59 is amended as follows:	(9) Article 59 is amended as follows:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Directive	
	Article 2, first paragraph, point (9)(a)			
282	(a) In paragraph 1, subparagraph (c) is replaced by the following:	(a) In paragraph 1, subparagraph (c) is replaced by the following:	(a) In paragraph 1, subparagraph point (c) is replaced by the following: Directive	(a) In paragraph 1, subparagraph point (c) is replaced by the following:
	Article 2, first paragraph, point (9)(b)			
284	(b) In paragraph 1, subparagraph (z) is replaced by the following:	(b) In paragraph 1, subparagraph (z) is replaced by the following:	(b) In paragraph 1, subparagraph point (z) is replaced by the following: Directive	(b) In paragraph 1, subparagraph point (z) is replaced by the following:
	Article 2, first paragraph, point (9)(c)			
286	(c) paragraph 4 is replaced by the following:	(c) paragraph 4 is replaced by the following:	(c) paragraph 4 is replaced by the following: Directive	(c) paragraph 4 is replaced by the following:
	Article 2, first paragraph, point (11)			
305	(11) in Article 71, paragraph 1 is replaced by the following:	(11) in Article 71, paragraph 1 is replaced by the following:	<i>deleted</i>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Directive	
<i>Article 2, first paragraph, point (11), amending provision, numbered paragraph (1), first subparagraph</i>				
306	1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 2 points 8 and 49, Articles 3 and 5, Article 6(2) and (3), Article 7(1), point (j) and (l) of Article 8(2), Article 9(2), Article 10(2) to (12), Article 11(3) and (4), Articles 12 to 24, Articles 26, 28 and 29, Article 31(1), (2) and (4) to (10); Articles 32 to 34 and 36, Article 38(2), Articles 40 and 42, point (d) of Article 46(2), Articles 51 and 54, Articles 57 to 58, Article 59(1) points (a), (b) and (d) to (y), Article 59(2) and (3), Article 59(5) to (10), Articles 61 to 63, points (1) to (3), (5)(b) and (6) of Article 70 and Annexes I and II by 31 December 2020. They shall immediately communicate the text of those provisions to the Commission.	1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 2 points 8 and 49, Articles 3 and 5, Article 6(2) and (3), Article 7(1), point (j) and (l) of Article 8(2), Article 9(2), Article 10(2) to (12), Article 11(3) and (4), Articles 12 to 24, Articles 26, 28 and 29, Article 31(1), (2) and (4) to (10); Articles 32 to 34 and 36, Article 38(2), Articles 40 and 42, point (d) of Article 46(2), Articles 51 and 54, Articles 57 to 58, Article 59(1) points (a), (b) and (d) to (y), Article 59(2) and (3), Article 59(5) to (10), Articles 61 to 63, points (1) to (3), (5)(b) and (6) of Article 70 and Annexes I and II by 31 December 2020. They shall immediately communicate the text of those provisions to the Commission.	<i>deleted</i> Directive	
<i>Article 2, first paragraph, point (11), amending provision, numbered paragraph (1), second subparagraph</i>				
307				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	However, Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with:	However, Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with:	<i>deleted</i> Directive	
<i>Article 2, first paragraph, point (11), amending provision, numbered paragraph (1), second subparagraph, point (a)</i>				
308	(a) point (5)(a) of Article 70 by 31 December 2019;	(a) point (5)(a) of Article 70 by 31 December 2019;	<i>deleted</i> Directive	
<i>Article 2, first paragraph, point (11), amending provision, numbered paragraph (1), second subparagraph, point (b)</i>				
309	(b) point (4) of Article 70 by 25 October 2020.	(b) point (4) of Article 70 by 25 October 2020.	<i>deleted</i> Directive	
<i>Article 2, first paragraph, point (11), amending provision, numbered paragraph (1), third subparagraph</i>				
310	Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 2 points 10a, 10b, 15a, 24a, Article 4, Article 11(1), (1a) and (2), Article 15a, Article 18a, Article 27(1), Article 27a, Article 28a, Article 31(3), Article 40(7), Article 59(1)	Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 2 points 10a, 10b, 15a, 24a, Article 4, Article 11(1), (1a) and (2), Article 15a, Article 18a, Article 27(1), Article 27a, Article 28a, Article 31(3), Article 40(7), Article 59(1)	<i>deleted</i> Directive	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	points (c) and (z), Article 59(4) and Article 66a by six months after entry into force of this Regulation.	points (c) and (z), Article 59(4) and Article 66a by six months after entry into force of this Regulation.		
<i>Article 2, first paragraph, point (11), amending provision, numbered paragraph (1), fourth subparagraph</i>				
311	When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.	When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.	<i>deleted</i> Directive	
<i>Article 3</i>				
312	Article 3 Amendment to Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the	Article 3 Amendment to Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the	Article 32 Amendment to Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	promotion of the use of energy from renewable sources	promotion of the use of energy from renewable sources	promotion of the use of energy from renewable sources 2018/2001 In accordance with the General Approach, the Council intends to split the Regulation and Directive into two separate legal acts. Following this, Article 3 would become Article 2 in a separate Directive amending Directives (EU) 2018/2001 and (EU) 2019/944. This concerns lines 215 - 320 Directive	
	Article 3, first paragraph			
313	Directive (EU) 2018/2001 is amended as follows:	Directive (EU) 2018/2001 is amended as follows:	Directive (EU) 2018/2001 is amended as follows: Directive	Directive (EU) 2018/2001 is amended as follows:
	Article 3, first paragraph, point (1)			
314	(1) Article 4(3) is amended as follows:	(1) Article 4(3) is amended as follows:	(1) Article 4(3) is amended as follows: Directive	(1) Article 4(3) is amended as follows:
	Article 3, first paragraph, point (1)(a)			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
315	(a) the second subparagraph is replaced by the following:	(a) the second subparagraph is replaced by the following:	(a) the second subparagraph is replaced by the following: Directive	(a) the second subparagraph is replaced by the following:
Article 3, first paragraph, point (2)				
317	(2) in Article 36, paragraph 1 is replaced by the following:	(2) in Article 36, paragraph 1 is replaced by the following:	<i>deleted</i> Directive	(2) in Article 36, paragraph 1 is replaced by the following:
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1), first subparagraph				
318	1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles 2 to 13, 15 to 31 and 37 and Annexes II, III and V to IX, by 30 June 2021. However, Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 4(3), second subparagraph, by [six months after entry into force of this Regulation].	1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles 2 to 13, 15 to 31 and 37 and Annexes II, III and V to IX, by 30 June 2021. However, Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 4(3), second <u>third</u> subparagraph, by [six months after <u>the date of</u> entry into force of this <u>amending</u> Regulation].	<i>deleted</i> Directive	
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
319	They shall immediately communicate the text of those measures to the Commission.	They shall immediately communicate the text of those measures to the Commission.	<i>deleted</i> Directive	
<i>Article 3, first paragraph, point (2), amending provision, numbered paragraph (1), third subparagraph</i>				
320	When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.	When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.	<i>deleted</i> Directive	
<i>Article 3b</i>				
320e			Article 4 Entry into force Directive	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3b(1)			
320f			1. This Directive shall enter into force on the [twentieth] day following that of its publication in the Official Journal of the European Union. Directive	
	Article 3c			
320g			Article 5 This Directive is addressed to the Member States. Directive	
	Article 3c, first paragraph			
320h			Done at Strasbourg, Directive	
	Article 3c, second paragraph			
320i			For the European Parliament Directive	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3c, third paragraph			
320j			The President Directive	
	Article 3c, fourth paragraph			
320k			For the Council Directive	
	Article 3c, fifth paragraph			
320l			The President Directive	
	Article 4			
321	Article 4 Amendments to Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators	Article 4 Amendments to Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators	Article 4 Amendments to Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators	
	Article 4, first paragraph			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
G	322	Regulation (EU) 2019/942 is amended as follows:	Regulation (EU) 2019/942 is amended as follows:	Regulation (EU) 2019/942 is amended as follows:	G
	Article 4, first paragraph, point (1)				
G	323	(1) Article 2 is amended as follows:	(1) Article 2 is amended as follows:	(1) Article 2 is amended as follows:	G
	Article 4, first paragraph, point (1)(a)				
G	324	(a) point (a) is replaced by the following:	(a) point (a) is replaced by the following:	(a) point (a) is replaced by the following:	G
	Article 4, first paragraph, point (1)(b)				
G	326	(b) point (d) is replaced by the following:	(b) point (d) is replaced by the following:	(b) point (d) is replaced by the following:	G
	Article 4, first paragraph, point (2)				
G	328	(2) in Article 3(2), the following fourth subparagraph is added:	(2) in Article 3(2), the following fourth subparagraph is added:	(2) in Article 3(2), the following fourth subparagraph is added:	G
	Article 4, first paragraph, point (3)				
G	330	(3) in Article 4, the following paragraph 9 is added:	(3) in Article 4, the following paragraph 9 is added:	(3) in Article 4, the following paragraph 9 is added:	G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 4, first paragraph, point (4)			
332	(4) in Article 5(8), the following second subparagraph is added.”;	(4) in Article 5(8), the following second subparagraph is added.”;	(4) in Article 5(8), the following second subparagraph is added.”;	
	Article 4, first paragraph, point (6)			
336	(6) In Article 5. the following paragraph 10 is added:	(6) In Article 5. the following paragraph 10 is added:	(6) in Article 5-, the following paragraph-10 is added:	
	Article 4, first paragraph, point (6), amending provision, numbered paragraph (10)			
337	“ 10. ACER shall approve and where necessary amend the joint proposal from the ENTSO for electricity and the EU DSO entity related to the methodology concerning the data and analysis to be provided as regards the flexibility needs pursuant to Article 19e(5) of Regulation (EU) 2019/943. ”	“ 10. ACER shall approve and where necessary amend the joint proposal from the ENTSO for electricity and the EU DSO entity related to the methodology concerning the data and analysis to be provided as regards the flexibility needs pursuant to Article 19e(5) of Regulation (EU) 2019/943. ”	“ 10. ACER shall approve and where necessary amend the joint proposal from the ENTSO for electricity and the EU DSO entity related to the methodology concerning the data and analysis to be provided as regards the flexibility needs pursuant to Article 19e(5)c(4) of Regulation (EU) 2019/943.” ”	“ 10. ACER shall approve and where necessary amend the joint proposal from the ENTSO for electricity and the EU DSO entity related to the methodology concerning the data and analysis to be provided as regards the flexibility needs pursuant to Article 19e(5)c(4) of Regulation (EU) 2019/943.” ”
	Article 4, first paragraph, point (6a), first subparagraph			
337a			(6a) in Article 6, paragraph 9, is amended as follows:	
	Article 4, first paragraph, point (6a), second subparagraph			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
337b			9. ACER shall submit opinions to the relevant regulatory authority and to the Commission pursuant to Article 8(3) and 16(3) of Regulation (EU) 2019/943.”	
Article 4, first paragraph, point (7)				
338	(7) in Article 15, the following paragraph 5 is added:	(7) in Article 15, the following paragraph 5 is added:	(7) in Article 15, the following paragraph 5 is added:	
Article 4, first paragraph, point (7), amending provision, numbered paragraph (5)				
339	“ 5. ACER shall issue a report analysing the national assessments of the flexibility needs and providing recommendations on issues of cross-border relevance regarding the findings of the regulatory authorities pursuant to Article 19e(6) of Regulation (EU) 2019/943.; ”	“ 5. ACER shall issue a report analysing the national assessments of the flexibility needs and providing recommendations on issues of cross-border relevance regarding the findings of the regulatory authorities pursuant to Article 19e(6) of Regulation (EU) 2019/943.; ”	“ 5. ACER shall issue a report analysing the national assessments of the flexibility needs and providing recommendations on issues of cross-border relevance regarding the findings of the regulatory authorities pursuant to Article 19e(6)c(7) of Regulation (EU) 2019/943.;” ”	
Article 5				
340	Article 5 Entry into force	Article 5 Entry into force	Article 5 Entry into force	Article 5 Entry into force

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 5, first paragraph			
341	This Regulation shall enter into force on the [xxx] day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the [xxx] day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the [xxx twentieth] day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the [xxx twentieth] day following that of its publication in the Official Journal of the European Union.
	Article 5, second paragraph			
342	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.
	Formula			
343	Done at Strasbourg,	Done at Strasbourg ,	Done at Strasbourg,	Done at Strasbourg,
	Formula			
344	For the European Parliament	For the European Parliament	For the European Parliament	For the European Parliament
	Formula			
345	The President	The President	The President	The President
	Formula			

		Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
G	346	For the Council	For the Council	For the Council	For the Council	G
	Formula					
G	347	The President	The President	The President	The President	G