

CEER

**Council of European
Energy Regulators**



Fostering energy markets, empowering **consumers**.

CEER 2020 Work Programme
Public Consultation Document

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INFORMATION PAGE

Abstract

CEER is seeking feedback on our proposed priority areas and work items of our 2020 CEER Work Programme. The main drivers of this Work Programme are the CEER 3D Strategy for the period 2019-2021 and Clean Energy Package (CEP) Implementation.

Target audience

Energy suppliers, traders, electricity and gas customers, industry, consumer representative groups, network operators, Member States, academics and all other interested parties.

How to respond to this consultation

Deadline: **Friday 9 August 2019**

This public consultation is carried out through a dedicated [online questionnaire](#) on the website of the Council of European Energy Regulators (CEER). No login is required.

- A) To establish an effective consultation process, CEER collects and uses the personal data (name and email address) of individuals and stakeholders who have an interest in or are affected by the proposals and reports developed by CEER.
- B) Personal data is used for the purposes of sharing with you, documents and reports, so that we can invite your feedback.

If you have any queries relating to this consultation process, please contact the CEER Secretariat: Tel. +32 (0)2 788 73 30, Email: brussels@ceer.eu

Treatment of confidential responses

In the interest of transparency and in accordance with the General Data Protection Regulation (GDPR), CEER:

- i. will list the names of the organisations that have responded but anonymise the personal data of any individual (such as members of the public) that has contributed.
- ii. requests that any respondent which does not wish its contribution to be published, to indicate this preference when submitting their response via the online questionnaire. CEER will publish all responses that are not marked confidential on the website: www.ceer.eu

This CEER public consultation is carried out in line with the Guidelines on [CEER's Public Consultation Practices](#).

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FOREWORD

This consultation paper provides the Council of European Energy Regulators (CEER)'s proposed 2020 Work Programme work items, for public comment.

Our 2020 Work Programme priorities are framed in the context of the recent adoption of the “Clean Energy for All Europeans” legislative package (CEP) and CEER’s own “3-year, 3D” strategy for regulators’ work. The 3 pillars to CEER’s 3D strategy are:

- Digitalisation in the consumer interest (D1);
- Decarbonisation at least cost (D2); and
- Dynamic regulation (D3).

With technological developments disrupting the traditional market sectoral approach on which regulatory supervision is based, CEER has reflected on how to steer and regulate an energy sector undergoing significant change, from decarbonisation to new innovations such as customer-friendly digital energy services or a mass roll-out of electric vehicles. These changes offer both opportunities and challenges. Dynamic regulation in our “3D” Strategy is about regulation adapting to market developments and anticipating future requirements. This 2020 CEER Work Programme sets out the areas of work for second year (2020) of our 3-year Strategy (2019-2021).

Once again, we will continue our successful close cooperation with the European Agency for the Cooperation of Energy Regulators (ACER) and our respective work complements and strengthens one another. ACER has a legislative mandate and responsibilities related to Europe's Internal Energy Market (IEM). CEER, as a collective of European national regulators, has the freedom to propose bold visions for the future, which stem from national experiences and best practice. CEER’s National Regulatory Authorities (NRAs) are also on the frontline of delivering the IEM in important areas where ACER does not have a mandate such as retail markets and distribution systems, and in terms of implementing and enforcing EU-wide rules nationally. Implementation of the Clean Energy Package (CEP) is one of two key drivers of our 2020 Work Programme, alongside our 3D Strategy.

In this consultation paper, we seek your views on how best to foster energy markets and protect and empower consumers in a changing energy system, in a way that benefits all energy consumers. Our members, Europe's national energy regulators, have a broad range of responsibilities from granting access to energy networks to setting market rules at wholesale and retail level so that competition and innovation thrives, with their primary duty being to ensure well-functioning competitive markets for the benefit of consumers.

We value your feedback on our proposed work items for the year ahead.

Annegret Groebel
CEER President

1 INTRODUCTION

Energy markets are evolving rapidly and becoming more decentralised in response to the growing influences of **decarbonisation** and **digitalisation**. As a result, the regulation of energy markets is becoming more **dynamic** whilst continuing to provide the predictability which is important for a sound investment climate. Each year CEER prepares a work programme which seeks to meet the challenges posed by energy market developments. It is important that we identify topics which enhance regulation with the aim of improving the operation of energy markets to the benefit of consumers. Our 2020 Work Programme is very much shaped by implementation of the Clean Energy Package (CEP) and our own 3D Strategy.

1.1 CEER's 3Ds: Digitalisation; Decarbonisation; and Dynamic Regulation

CEER has adopted a forward-looking consumer-centric [3D Strategy](#) for the period 2019-2021. The 3 "Ds" of our 3D Strategy are:

- Digitalisation in the consumer interest;
- Decarbonisation at least cost; and
- Dynamic regulation: European solutions for adaptive regulation in a fast-changing world.

The 3D Strategy and CEP implementation are the main drivers of our proposed 2020 Work Programme work items and provide the rationale for most of our work until 2021. This draft 2020 Work Programme clearly identifies the D(s) to which each deliverable contributes (see the work items listed in section 4 below). Many of work items contribute to more than one "D" and have a clear correlation to implementation of the CEP.

1.2 Implementation of the Clean Energy Package (CEP)

CEER's core focus is on implementation of the newly adopted CEP. Our working groups' planned implementation activities for 2020 depend on the timeline for CEP implementation. CEER will continue to work with and support the Agency for the Cooperation of Energy Regulators (ACER). A new focus of our ACER-CEER Market Monitoring Report will be on monitoring national transposition of the Clean Energy Package and related developments at European level.

We are committed to serving our [Members and Observers](#), helping energy national regulatory authorities (NRAs) play their full part in the energy transition and changes to market design and structures. CEER actively encourages the development and adoption of good regulatory practices through the range of services it provides for NRAs, including the provision of training for both Member NRAs and non-CEER regulators.

CEER also offers its regulatory expertise to the European Commission on its task of developing proposals to further develop the Internal Energy Market. Interesting areas of such work for CEER in 2020 will be the legislative process of a future gas package, initiatives on digitalisation and barriers to retail markets. Other areas of important work in 2020 will be the implementation of the updated EU general consumer law and the remaining elements of the implementation of the CEP. We expect that the CEER Work Programme for 2020 will need to be adapted to take account of these and other developments, as well as the conclusions of key CEER public consultations [on digitalisation of the energy system](#) and on [regulatory challenges for a sustainable gas sector](#).

1.3 Public consultation and further process

Consultation with stakeholders remains an essential element in the development of work programme priorities. We invite comments on the CEER draft Work Programme by 9 August 2019.

Stakeholders are invited to participate in the public consultation via a dedicated online questionnaire in the [public consultation section](#) of the CEER website. Please note that only answers submitted via the on-line questionnaire will be taken into consideration.

Following the close of the public consultation, CEER will review its draft proposals and develop a final work programme. The finalised version of the CEER 2020 Work Programme may therefore change in several ways as compared to this version, drawing from the stakeholder input and depending on internal considerations and developments, including the availability of expert resources among our members. CEER aims to publish its final 2020 Work Programme in January 2020.

CEER is the voluntary association of Europe's energy NRAs. CEER's principal functions are to foster a sound European regulatory framework and to support the important work of NRAs by developing good practices in energy regulation and sharing experience including through training and workshops. For more information about CEER and our work, please visit our website www.ceer.eu where you will find documents we have published which relate to the current work programme and those of earlier years.

2 OUR PRIORITIES IN 2020

Like other organisations, CEER must prioritise its work so that scarce resources can be used most effectively. CEER's 3D Strategy and CEP implementation provide the overall framework for our work in the period 2019-2021. In recent years CEER has prioritised a number of key topic areas and it is our intention to continue to focus on those electricity and gas areas. These areas are:

- Customers and retail markets;
- New legislative/policy developments;
- Distribution System Operation; and
- International work beyond the borders of the EU.

2.1 Customers and Retail Markets

Customers/Consumers are at the very core of both CEER's 3D Strategy and the "Clean Energy for All Europeans" legislative package. This is why a large part of our 2020 Work Programme is dedicated to consumer protection and empowerment, and to well-functioning retail markets and market monitoring. To facilitate implementation of the CEP, CEER will continue to support NRAs in their efforts to achieve well-functioning retail energy markets by 2025. Our indicators for the Market Monitoring Report will take account of insights from our work on Bundled Products and on the CEER Roadmap to 2025 Well-Functioning Retail Energy Markets. CEER will also review the CEER-BEUC 2020 Vision for Energy Consumers (which was developed in 2012 in consultation with stakeholders), to assess progress and consider what next steps might be necessary.

CEER's priorities for 2020 will emphasise the evolution of energy markets and the increasingly active involvement of customers. Following our 2019 work on citizen energy communities and self-consumption, we are committed to enabling consumers to engage effectively in energy markets and to ensure that consumer rights and protections keep pace with market changes and increased digitalisation.

CEER will analyse developments and innovation in retail markets, including in respect of technology such as smart meters, digitalisation and business models to ensure that they benefit consumers. We will work on implementing new consumer rights issues embedded in new CEP legislative provisions, such as on billing.

CEER will hold our dedicated Customer Conference and will contribute to the European Commission's annual Citizens' Energy Forum.

2.2 New legislative/policy developments

Through CEER, European energy regulators are committed to serving as valued partners for the European Institutions, including the incoming College of Commissioners and MEPs. We will respond to new legislative and other developments such as a future new legislative package on gas markets, including regulatory aspects relating to the future role of low-carbon gases and sector coupling.

2.3 Distribution System Operation

CEER will build on work already undertaken to prepare a deeper analysis of important aspects of the regulatory framework for DSOs relating to data management and smart metering, recognising the outcomes of its consultation on digitalisation.

CEER will develop proposals for the dynamic regulation of investments in distribution networks in

the light of greater decentralisation and the growing interaction between TSO and DSO investments. We will continue our work on flexibility and cybersecurity.

2020 will be the year for the next edition of our comprehensive benchmarking report on quality of supply. The report will cover both electricity and gas quality and its geographical scope is to be widened to include all countries of the Energy Community.

2.4 Electricity and Gas

CEER will consider how energy markets might be affected by new communications technologies and the resulting effect on energy trading at wholesale and end-user levels.

We will undertake follow-up work on the 2019 CEER Consultation on the Regulatory Challenges for a Sustainable Gas Sector in ways which complement initiatives by other regulatory bodies. This work will include a survey of distribution regulation in the EU with a particular view to existing arrangements regarding the injection of green gases in order to develop potential recommendations on the future role of gas from a regulatory perspective. CEER will also explore areas where gas and electricity converge and will explore whether more effective sector coupling between electricity and gas could be achieved through greater alignment of regulation.

As part of the follow up to CEER's ['Future Role of Gas'](#) report, we will also engage with stakeholders in a broad discussion about the future role of LNG in Europe.

In addition, CEER will undertake preparation of the Annual Report on Regulatory Frameworks of European Energy Networks (formerly known as the Investment Conditions Report), which surveys implemented regulatory regimes. We will also undertake our biennial status review of renewable energy support schemes.

2.5 International work

CEER will continue its international relations with regulators across Europe and globally to exchange experiences and to respond to the growing interaction between the European internal energy market and its neighbouring markets.

Through CEER's Energy Regulatory Exchange of Knowledge (EREK) initiative, we will continue to support capacity building in NRAs and the development of energy regulatory excellence in other markets.

2.6 Other work areas

CEER has consistently undertaken work on a number of important areas. Our Partnership for the Enforcement of European Rights (PEER) initiative encourages collaboration with regulators from other sectors and bodies with consumer responsibilities on topics of mutual interest. CEER hopes to continue this valuable work in 2020, building stronger ties with other European regulatory bodies in disciplines related to energy regulation, including financial regulation, competition authorities and telecommunications regulation.

Finally, CEER will prepare a status report on the independence of energy regulators which will include changes resulting from recent legislation.

3 QUESTIONS FOR CONSULTATION

The purpose of this public consultation is to increase transparency and to provide us with valuable feedback from stakeholders. The present document will be open for public consultation until 9 August 2019.

We would be interested, in particular, in views on the following questions for public consultation:

- CEER proposes that the 2020 Work Programme should continue to focus on the same priority areas for electricity and gas which have also been priorities in recent years. These are: customers and retail markets, new legislative and policy developments, distribution system operation and international work. Do you support that these areas should be the priorities or should some areas be deleted and others included?
- Within each priority area, do you think the Work Programme focuses on the right work items or should some be deleted or added, in particular to address properly the 3D Strategy themes of decarbonisation, digitalisation and dynamic regulation?
- On the individual work items (listed in section 4 of the consultation paper):
 - Please indicate the work items you consider as “very important”, “important” or “not important”.
 - For the work items with consultations, hearings, workshops etc., do you intend to actively participate?
 - Do you have any specific comments on any of the individual work items?

Stakeholders are invited to participate in the public consultation via a dedicated online questionnaire on the CEER website.

4 DRAFT CEER WORK ITEMS FOR 2020

No	Sector	Title	Description	3D Strategy	Expected start time	Expected end time
1	Customers and retail markets	Report on Innovative Business Models and Consumer Protection	CEER will prepare a case study report on innovative business models looking at examples of aggregation, peer-to-peer trading and other innovative business models emerging in the energy sector and beyond. The challenges which may arise for consumer rights will be especially highlighted.	Dynamic Regulation, Decarbonisation & Digitalisation	Q1 2020	Q4 2021
2	Customers and retail markets	ACER/CEER Market Monitoring Report on Consumer Empowerment and Protection in 2019	The ACER/CEER Market Monitoring Report on Consumer Empowerment and Protection is an annual report which describes policies and measures applied in European energy markets. Based on 2019 data, the report will also monitor new developments in consumer empowerment and protection issues, providing a first European perspective on national transposition of the Clean Energy Package. Furthermore, the report aims to provide new detailed insights into European energy markets by exploring additional dimensions such as those identified in the CEER Roadmap to 2025 Well-Functioning Retail Energy Markets, or by investigating more closely the relationship between consumer empowerment and retail market properties, including the emergence of bundled products.	Dynamic Regulation	Q 2020	Q4 2020
3	Customers and retail markets	CEER Monitoring Report on the Performance of European Retail Markets in 2019	CEER will continue to develop its activities relating to the monitoring of the performance of retail markets on the basis of CEER National Indicators. The report analyses some of the most important aspects of retail markets, allowing a more in-depth and comprehensive understanding of their performance and evolution. It will take into account the results of work on indicators and metrics from the CEER Roadmap to 2025 Well-Functioning Retail Energy Markets as well as monitoring-related developments at European level (e.g. the various volumes of the ACER-CEER Market Monitoring Reports).	Dynamic Regulation	Q 2020	Q4 2020
4	Customers and retail markets	Billing - Contractual and Customer Information Following the Clean Energy Package	CEER will work on billing in the context of the revised provisions in the Clean Energy Package and also cross-check changes in billing processes and billing information with the legislative provisions in the "New Deal for Consumers" legislative package.	Dynamic Regulation	Q1 2020	Q3 2020
5	Customers and retail markets	Digitalisation as a Driver for Better Retail Market Functioning	CEER will develop a position paper on digitalisation as a driver for better retail market functioning. This will include a reaction to the European Commission's EG1 (Smart Grids Task Force Expert Group 1) report on digitalisation and the EC study on digitalisation, as well as building on the results of CEER's 2019 Report on Digitalisation in the Consumer Interest.	Dynamic Regulation & Digitalisation	Q2019	Q2020

No	Sector	Title	Description	3D Strategy	Expected start time	Expected end time
6	Customers and retail markets	CEER Workshop on Comparison Tools, New Intermediaries and Dynamic Prices	Digitalisation allows dynamic price setting for energy to be applied to the smallest energy customers. New intermediaries are emerging using digital platforms and algorithms, impacting the choices energy consumers take. CEER will arrange a workshop to facilitate exchange experiences with other sectors on the impact of new intermediaries and dynamic prices on consumers and regulation. This work will be a part of the ongoing cooperation with other regulatory bodies (PEER).	Dynamic Regulation & Digitalisation	Q2 2020	Q2 2020
7	Customers and retail markets	Delivering the CEER-BEUC 2020 Vision for Europe's Energy Customers	In 2012, CEER and BEUC launched their 2020 Vision for Europe's Energy Customers. This vision, supported by 17 major EU energy organisations, can be characterised by four principles governing the relationship between the energy sector and its variety of customers: reliability, affordability, simplicity, protection and empowerment (the so-called RASP principles). In 2020, CEER plans to launch a renewed reflection on delivering the principles in the Vision and will organise an event to discuss how the principles agreed in 2012 are being applied, and whether they should be reviewed in the light of the energy transition and major changes occurring (and expected) in the energy sector.	Digitalisation	Q1 2020	Q1 2020
8	Customers and retail markets	CEER Annual Customer Conference	CEER will organise its Annual Customer Conference. This serves as a forum for consumers, regulators, industry and policy makers to discuss EU policy issues related to customer protection and empowerment.	Dynamic Regulation, Digitalisation & Decarbonisation		
9	Electricity	Regulatory Frameworks Report of European Energy Networks	This CEER annual report, previously known as the Investment Conditions Report, delivers a general survey about the implemented regulatory regimes, the demanded efficiency developments and analyses the overall determination of capital costs. In 2020, it will be the 8 th edition of the report. The investment conditions report was for the first time made available to the public in 2016.	Dynamic Regulation	Q1 2020	Q2 2020
10	Electricity	Biennial RES Status Review of Renewable Support Schemes in Europe	CEER will make a status report that will form the latest update to the regular biennial CEER Status Review of Renewable Energy Support Schemes in Europe. These documents collect comparable data on RES support in Europe (e.g. by technology and support type). The 2020 RES Status Review will build on the previous editions published every other year.	Decarbonisation	Q2 2020	Q4 2020
11	Gas	Gas Distribution Access and Tariffs	With the development of green gases, gas distribution is playing a new role in welcoming production facilities. This evolution is modifying the functioning of networks and will have to be translated within access rules and tariffs. The work will consist of a survey of distribution regulation in the EU with a particular view to existing arrangements regarding the injection of synthetic gases (including hydrogen). It will allow a comparison of the different orientations chosen and draw potential recommendations in line with the activities carried out on the future role of gas within a regulatory perspective.	Dynamic Regulation & Decarbonisation	Q1 2020	Q4 2020

No	Sector	Title	Description	3D Strategy	Expected start time	Expected end time
12	Gas	Regulatory Innovations for Electricity and Gas Sectors Coupling	CEER will explore which areas that would benefit from greater alignment/consistency towards an effective sector coupling between electricity and gas. Gas and electricity can converge on specific services for example energy storage and transmission in an innovative way where one could substitute to the other. The purpose is to investigate areas of convergence and associated regulatory challenges.	Dynamic Regulation & Decarbonisation	Q1 2020	Q4 2020
13	Gas	Future Role of LNG in Europe	CEER will engage, internally and with other stakeholders (mainly GLE, Eurogas, EFET), in a broader discussion about the future role of LNG in Europe. We will analyse the suitability of the regulatory framework in the context of an evolving LNG market, the implications of the competition between LNG terminals, with different regulatory regimes, the possible LNG market opportunities and threats, or the need for further coordination/cooperation among NRAs. CEER will also actively take into account relevant studies or regulatory development related to LNG, in particular in the gas package revision and in the EC study on LNG.	Dynamic Regulation & Decarbonisation	Q1 2020	Ongoing
14	Distribution systems	Network Planning/ Coordination	Following the Clean Energy Package, this CEER report could encompass how network plans may look like, including developments towards a more decentralised system and the TSO/DSO relationship. The deliverable may include a public workshop.	Dynamic Regulation	Q2 2020	Q4 2020
15	Distribution systems	Data Management and Smart Metering	The CEP seeks to activate consumers through, for example, the right to form citizens energy communities and choose an independent aggregator. As of such, regulators will further explore how new products and services affect current regulation. Additionally, this deliverable may cover relevant topics from the CEER Digitalisation Conclusions Paper.	Digitalisation	Q3 2020	Q4 2021
16	Cross-sectorial	Monitoring Technological Trends in Energy Trading	CEER will monitor technological trends in energy trading to assess the extent to which new technologies are already reshaping, or might reshape in the near future, wholesale energy trading. Indeed, algorithmic or high frequency trading is already a reality in financial trading and has triggered regulatory action from financial regulators. Algorithmic and high frequency trading can also already be encountered in energy trading and NRAs with MPs and stakeholders should engage in discussions about the right way to monitor such trading, in particular from the REMIT obligations point of view. Moreover, recent developments in blockchain may enable in the near future new forms of peer-to-peer trading and the proposed deliverable and associated workshop may also give the opportunity to analyse the status quo and address the upcoming regulatory challenges of these technologies.	Digitalisation	Q1 2020	Q4 2020
17	Cross-sectorial	Report - Safeguarding the Independence of Regulators	The CEER Report on the Independence of Regulators will give insights from the European energy regulators on powers, resources, independence, accountability and transparency. The report will be an update of the 2016 Report on Safeguarding the Independence of Regulators.	Dynamic Regulation	Q1 2020	Q4 2020

5 NEXT STEPS

Following a review of the comments received to this consultation, CEER aims to publish the final 2020 Work Programme in January 2020.

About CEER

The Council of European Energy Regulators (CEER) is the voice of Europe's national regulators of electricity and gas at EU and international level. CEER's members and observers from 38 European countries are the statutory bodies responsible for energy regulation at national level.

CEER's key objective is to facilitate the creation of a single, competitive, efficient and sustainable European internal energy market that works in the consumer interest. CEER actively promotes an investment-friendly and harmonised regulatory environment, and consistent application of existing EU legislation. Moreover, CEER champions consumer issues in our belief that a competitive and secure European energy market is not a goal in itself, but that it should deliver benefits for energy consumers.

CEER, based in Brussels, deals with a broad range of energy issues including retail markets and consumers; distribution networks; smart grids; flexibility; sustainability; and international cooperation. European energy regulators are committed to a holistic approach to energy regulation in Europe. Through CEER, NRAs cooperate and develop common position papers, advice and forward-thinking recommendations to improve the electricity and gas markets for the benefit of residential consumers and businesses.

More information is available at www.ceer.eu