



Fostering energy markets, empowering **consumers**.

Evaluation of Responses

Stakeholder comments on CEER Work Programme 2016

**Ref: C15-WPDC-27-10
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EXECUTIVE SUMMARY

The Council of European Energy Regulators (CEER) appreciates the comments and feedback received to the public consultation on its 2016 draft Work Programme (WP). A total of 25 respondents submitted their views. We received both general remarks on the WP as well as remarks on the priority areas and individual deliverables. Overall, although there were detailed differences of view, respondents expressed strong support for our proposed 2016 deliverables. There was also a broad consensus on the importance of the priority areas identified.

CEER has reviewed its draft 2016 Work Programme to take into account suggestions made by stakeholders and has provided further clarification and detail on the planned deliverables. The final Work Programme also reflects recent developments in energy policy at European level, in particular as regards Energy Union proposals as well as regulators' further thinking on timely energy regulatory trends and issues. As a result, 16 deliverables will be pursued by CEER during 2016, alongside a range of ongoing activities.

This evaluation of responses document accompanies the final CEER 2016 Work Programme (C15-WPDC-27-06) and provides CEER's considered reaction to the comments submitted.



1. Stakeholder feedback and comments

CEER published its draft proposals for its 2016 Work Programme for public consultation on 12 June 2015. Reactions were sought via an online questionnaire by 31 July 2015.

25 responses were received (2 of which confidential) to the draft CEER 2016 Work Programme. The comments represent a broad variety of organisations (Annex 2). CEER appreciates the input from stakeholders.

The present document summarises the views expressed by respondents and presents the conclusions CEER draws from them.

CEER's final 2016 Work Programme, as well as the non-confidential responses to our online consultation, are available on the CEER website. In line with our current practice, opportunities for stakeholder involvement in our work (public consultations, workshops and hearings) will be communicated online and updated on a rolling basis.

1.1. General comments on the draft CEER 2016 WP

Some of the respondents remarked that it would be helpful to relate the individual deliverables more clearly to the priorities in the Work Programme, and that most could be justified in relation to more than one priority.

1.2. Comments on the priority areas of the draft CEER 2016 WP

There was a broad consensus on the importance of the proposed priority areas.

Several respondents considered International work (beyond the borders of the EU) to be a lower priority or less relevant to their interests. In addition, two of the 25 respondents suggested that this priority should not be included in the list of priorities for 2016, with one of them clarifying that the focus for regulators should always be on EU issues, only looking outside the EU once these issues are solved.

One respondent noted that CEER has a key role to play in encouraging the European Commission to adopt a more favourable stance for natural gas in its energy policy and in fostering more active development of the gas market. To support this, it was suggested by individual respondents that CEER also work on the following priority areas that emphasise the importance of gas:

- Setting up a framework for innovative technologies such as biogas, bio methane, Compressed Natural Gas (CNG) vehicles, power to gas, etc.
- Supporting gas usage in transportation
- Keeping abreast of future and urgent European developments in shale gas

Furthermore, several respondents suggested that CEER also work on the following priority areas:

- Ensuring a better coordination between the regulators' actions and those of the European Commission initiatives, in order to design a better investment climate
- Decreasing subsidies to renewable energy production
- Analysing non-distortionary methods to provide long-term signals to electricity markets with the aim of decarbonising the economy at minimum cost and ensuring security of supply



- Analysing the potential of demand response, including examining possible regulatory barriers, benchmarking of best practices, and of allowing aggregators to enter established markets

In terms of more general remarks, one respondent noted that the CEER WP 2016 should be in line with European Commission's Better Regulation guidelines, and should recognise the need for cost-efficient, proportionate, targeted, transparent, and consistent approaches. Two respondents pointed out that a clearer understanding of the role of CEER and its distinction from ACER would benefit the overall governance setup for the EU single energy market.

1.2.1 Consumers and retail markets

19 of the 25 respondents provided comments on this priority area. Most of them strongly supported the focus on consumer and retail markets issues and believe that the draft CEER 2016 WP focused on the right deliverables within this priority area. Some considered that the deliverables will contribute to the implementation of CEER-BEUC 2020 Vision and the 'Bridge to 2025'. Several respondents expressed their support for the CEER-BEUC 2020 Vision and one of them pointed out that spreading good practices and actions to implement the Vision would bring added value.

One respondent stated that the proposed deliverables focus on retail markets and competition, but not enough on the customers' aspirations and added that more regular studies of customer expectations could be relevant.

One respondent underlined that deliverables under this priority area should consider narrowing the differences in consumer rights and protection between the Member States and suggested that a study of the different offerings and rules in Europe would help to understand the differences between European retail markets.

Two respondents highlighted that whilst removing barriers to entry in retail markets is fundamental, it should not impose such rigid standards that it would deter innovation.

One respondent underlined that when working on developing a roadmap aimed at a competitive, reliable and innovative retail market by 2025, CEER should integrate into its considerations the role of demand side aggregators.

With regard the CEER priority (related to the 'Bridge to 2025') to facilitate more active participation of smaller consumers in the markets, one respondent noted that special attention must be given ensuring a level playing field for all market players, including between new ones (such as aggregators) and established ones. Furthermore, one stakeholder noted that in open and competitive retail markets, in addition to rights consumers also have responsibilities vis-a-vis the energy supplier, i.e. a contractual commitment to pay for their energy consumption. Additionally, further consideration is needed with regard to the possible economic benefits of a more active demand-side participation especially of smaller consumers in the market. Two respondents pointed out that they are in favour of the CEER priority to facilitate more active participation of smaller consumers in the markets, and one of them underlined that in many European countries small customers are in fact already active in the market and that "one size fits all" is not appropriate regarding this priority.

On the CEER priority (related to the 'Bridge to 2025') for a roadmap to secure supplier switching within 24 hours no later than 2025, six respondents expressed their doubts about the proposal. Some of the respondents pointed out that it is questionable whether the benefits would outweigh the costs for consumers. One respondent underlined that further analysis on the subject is needed. Another respondent pointed out that switching between suppliers very often has a negative impact on security and reliability. One of the respondents suggested instead a new CEER priority on customers having deeper knowledge of energy markets and fundamentals. Another proposed that CEER should rather



monitor the technical challenges for customers to switch suppliers.

Several other areas of work for CEER were proposed by respondents for this priority area:

- Comparable energy offers
- Bundled offers: Energy regulators should monitor bundled offers and whether these offers provide real benefits to consumers
- Energy contracts
- User-friendly energy bills
- Tools facilitating consumer participation: Regulators are encouraged to set up transparency rules for switching
- Transparent “green electricity” offers
- Implementation of the CEER Advice on involving consumer organisations in the regulatory process
- Education to make consumers more sensitive to the issue of energy efficiency
- The effect of non-commodity related charges (such as taxes and network charges) on the incentives for consumers, including in respect of their participation in electricity markets (such as flexibility) and in implementing energy efficiency measures
- Growing issue of credit risks (“bad debts”), electricity theft, and social support for disadvantaged households
- Supporting the European Commission’s policy of phasing out regulated prices

As a general remark, one respondent noted that the most important issue for consumer empowerment and well-functioning retail energy markets is the implementation of the 3rd Package by all Member States.

1.2.2 New legislative/policy developments

17 of the 25 respondents provided comments on this priority area. There was general support for CEER addressing this priority.

Some respondents expressed their support for CEER interacting with, and providing input to, the European Commission as regards the Energy Union initiative. Those respondents strongly believe that CEER is ideally placed to assess policies from the perspective of customer interests or to work towards a consumer-centric Energy Union.

One respondent noted that as new technologies and markets develop to enable full participation of consumers in the market (for example, smart metering and demand response), CEER should ensure that consumer interests are always taken into account. CEER, together with policy makers, should further analyse how to stimulate active consumer participation in energy markets.

One respondent underlined that in the light of growing shares of Renewable Energy Sources (RES) it is important to construct a fair and efficient market for flexibility and power storage solutions.

One respondent welcomed CEER’s commitment to work with and advise the European Commission on regulatory aspects in the area of flexibility and proposed CEER should establish a priority order (perhaps through a benchmarking exercise) on when consumers’ flexibility can be used by DSOs,



suppliers, demand-side aggregators and others.

Two respondents underlined the importance of legislative/policy developments in the gas sector. Two stakeholders suggested following the development of the LNG strategy, and one stakeholder emphasised the importance of developments in gas storage and security of supply.

Two respondents encouraged CEER also to follow the revision of the Energy Efficiency Directive and to include it as a CEER priority.

Some respondents believe that CEER should closely monitor the roll-out of smart meters and help the European Commission to develop a solution to the existing obstacles.

One respondent suggested that data management and data protection in the energy sector could be followed by CEER.

Furthermore, one respondent proposed that CEER could take a more strategic view of the functioning and implementation of energy policy in different Member States (as opposed to cross-border issues under Agency for the Cooperation of Energy Regulators, ACER). It added that this could address the effect of one Member State interpreting regulations differently from its neighbours, or the impact of one Member State's energy policy on the regional market.

Another respondent supported CEER's work to promote convergence and to support National Regulatory Authorities (NRAs) in moving in the same direction to achieve a functioning Internal Energy Market (IEM).

1.2.3 The role of Distribution System Operators

18 of the 25 respondents provided comments on this issue. The majority of stakeholders welcome CEER's focus on the role of Distribution System Operators (DSOs). Many respondents, however, emphasised the importance of differentiating between electricity and gas DSOs and clearly separating issues in each of the sectors as they face different technical and economic fundamentals.

Pointing to the increasing share of RES capacity, some respondents argued that DSOs will be required to expand their business and take on new roles and responsibilities in the near future. One respondent remarked that the current regulatory framework hampers DSOs from doing so and stressed the need for stable regulatory frameworks that would enable DSOs to plan their investments cost-effectively.

Three respondents specifically mentioned the development of a set of tools that can be used by national regulators as a useful initiative. For example, one respondent suggested that guidance should be provided on how to implement a regulatory framework that would adequately incentivise innovation. One respondent would have liked a more detailed description of the envisaged "regulatory toolbox". Another commented on the need to define cost-reflective distribution tariffs, in particular, considering the growing integration of self-consumption and the importance of avoiding distortionary effects and ensuring a fair and equitable participation of prosumers in network and system costs.

Several respondents commented on CEER's emphasis on data management, stating that CEER must remain customer focused; keeping in mind data management principles of scarcity, data protection and security. Many respondents also pointed out that in some countries DSOs are already making data available in a free and non-discriminatory manner. Two respondents stressed the need to pay attention to the actual implementation of DSO unbundling in order to avoid the risk of misuse



of data by DSOs that are not fully unbundled. One respondent noted that CEER needs to specify its goal with regard to national implementation of rules on data standardisation, management and responsibilities.

With regard to CEER's focus on DSO-Transmission System Operator (TSO) roles, several respondents asked for greater clarity on its link to the CEER paper on the Future Role of DSOs and on how the responses already provided by stakeholders will be utilised. Moreover, respondents urged CEER to align its work to the European Commission's timetable, noting that stakeholders may be reluctant to respond to CEER consultations in 2016 on topics where the Commission is already setting out details for Member States and NRAs to comply with. Three respondents also noted that CEER should wait for the results of the European Commission's DSO-TSO working group and then decide whether to support the European Commission in its work. Besides examining the interaction between TSOs and DSOs, one respondent suggested for CEER to examine the interaction between DSOs and suppliers as well as between TSOs and aggregators. One respondent believed that since cooperation between DSOs and TSOs is sufficiently addressed by other associations including the European Network of Transmission System Operators (ENTSOs), CEER does not need to undertake additional initiatives in this area.

1.2.4 International work beyond the borders of the EU

11 of the 25 respondents gave comments on this issue. Seven respondents supported CEER's international efforts, stating that regulators' support for EU international policies and extending the *acquis* as well as promoting energy security are needed.

Two respondents specifically mentioned renewable generation capacity as a fruitful area for knowledge sharing and exchange of expertise and regulatory practices.

One respondent noted that CEER should mention specifically the Energy Community Contracting Parties, given the current efforts to promote market development, competitiveness, security of supply and sustainability in these countries (Ukraine and Turkey in particular).

Some respondents, however, considered international work a low priority.



1.3. Comments on individual deliverables

The table below provides an overview of the comments received to the deliverables presented in the public consultation on the draft CEER 2016 Work Programme in July 2015. CEER’s reaction and views on this input is included in the right hand column of the table.

| No. | Sector and title of deliverable | Not important | Important | Very important | Stakeholder comments | CEER views |
|-----|---|---------------|-----------|----------------|--|--|
| | Consumer and retail markets | | | | | |
| 1 | Consumer Protection and Empowerment Chapter of the ACER-CEER Market Monitoring Report (MMR) | 0 | 3 | 16 | <p>Three respondents recommended NRAs ensure that the data used in the report is aligned with that used at national level. Two respondents commented that any data should be presented in an objective way.</p> <p>Four respondents commented on harmonisation: one respondent supported the necessity of harmonisation; another one noted that benefits of the process have to be analysed and added that if regulators seek convergence in retail market, common targets for quality of service should be set, but not to specify the processes to reach these targets. Another pointed out that harmonisation across Member States has to be balanced with a respect for diversity and innovative marketing. It was also underlined that the principle “one size does not fit all” has to be taken into account as there are differences among European retail markets.</p> <p>Furthermore, one respondent questioned</p> | <p>The focus of the Consumer Protection and Empowerment Chapter will be on implementation of 3rd Package and Energy Efficiency Directive provisions in EU Member States. The chapter is based on an analysis of data provided by NRAs and as such is aligned with that used at national level.</p> <p>CEER continues to strive to present information in an objective manner.</p> <p>CEER agrees that high levels of quality of service should be in place in all European markets, which CEER encourages through periodic benchmarking reports. CEER agrees that innovation is an important aspect of competitive markets.</p> <p>Financial support for vulnerable</p> |



| No. | Sector and title of deliverable | Not important | Important | Very important | Stakeholder comments | CEER views |
|-----|--|---------------|-----------|----------------|--|---|
| | | | | | how to make sure that certain customers are truly vulnerable and noted that fraud in this area is increasing. | consumers (and the relevant definitions) is the responsibility of Member States. |
| 2 | Guidelines of Good Practice on Removing Barriers to Entry in Energy Retail Markets | 0 | 10 | 9 | <p>Concerning new market actors such as aggregators for flexible loads, direct marketing or participation in balancing markets, two respondents suggested widening the scope of the proposed guidelines to the achievement of a level playing field for traditional suppliers and new market players such as demand response aggregators.</p> <p>Two respondents noted that removing barriers should not necessary mean harmonising all process at EU level and that a cost benefit analysis should be performed. Several stakeholders were keen to contribute to the CEER work and one respondent noted that consumer associations should be involved. Three respondents noted that CEER should be more specific about what they are looking for and which challenges/problems aiming to solve.</p> | <p>CEER intends that the GGP will include all market actors and will aim to ensure a level playing field for all.</p> <p>CEER agrees that removing barriers to entry does not necessarily mean full harmonisation and that any measures should be cost effective. CEER continues to consider that reducing entry barriers for suppliers across the EU will help to enhance competition.</p> |
| 3 | Guidelines of Good Practice on Removing Commercial Barriers to Supplier Switching in Energy Retail | 1 | 9 | 6 | <p>Several respondents encouraged CEER to work on all barriers to supplier switching instead of narrowly focusing on commercial barriers.</p> <p>One respondent pointed out that national</p> | This deliverable will no longer be part of the CEER Work Programme 2016 since the publication of the Benchmarking Report on removing commercial barriers to supplier switching has been postponed to 2016. |



| No. | Sector and title of deliverable | Not important | Important | Very important | Stakeholder comments | CEER views |
|-----|---|---------------|-----------|----------------|---|---|
| | Markets | | | | <p>differences exist regarding the switching rate and that no general application of the GGP can be prescribed at national level. One respondent suggested that a study of best practices and existing switching processes across Europe could be of interest.</p> <p>Regarding supplier switching within 24 hours, several respondents expressed their doubts about the proposal, in particular noting that 24 hours is too short a period. One respondent underlined that this proposal would require in depth cost benefit analysis. Another two suggested that switching can be initiated after a 14 day cooling-off has lapsed and added that rather than being able to switch in 24 hours customers want to have a simple, robust and easy to understand process.</p> | <p>In 2016, CEER will continue to work on commercial barriers and will consider whether other barriers merit attention in the next work period.</p> <p>CEER considers that GGPs set out general principles or expected outcomes which can be applied at national level. They do not necessarily require a single approach.</p> <p>CEER continues to consider that a 24 hour switching is a desirable target since simple and quick purchasing decisions are a feature of most competitive and well-functioning retail energy markets.</p> |
| 4 | Status Review on the Implementation of Guidelines of Good Practice on Price Comparison Tools in Energy Retail Markets | 0 | 7 | 8 | <p>One respondent suggested introducing minimum standards and rules on the methodology that should be applied by all Price Comparison Tool (PCT). Two respondents commented that PCTs should be quality-proofed and proposed certifying these with a “trust mark” (label). One respondent urged CEER members to critically assess whether the PCTs operating in their jurisdiction are used as an unregulated sales channel not subject to any scrutiny.</p> | <p>Instead of delivering an in-depth status review, CEER has decided to proceed with case studies and to ensure its GGP are up to date to fit with the newest generation of pricing models (time-of-use, demand response, etc.) and digital technologies. The deliverable is now designated as an Update of the GGP on Price Comparison Tools.</p> <p>CEER will consider these issues as part of its work on this topic.</p> |



| No. | Sector and title of deliverable | Not important | Important | Very important | Stakeholder comments | CEER views |
|-----|--|---------------|-----------|----------------|---|---|
| | | | | | <p>One respondent was interested to know why this deliverable was proposed as CEER deliverable for 2016 as it was removed from the final CEER Work Programme 2015 (proposal existed in public consultation paper for CEER Work Programme 2015).</p> | <p>CEER must manage its resources across all work strands in each year.</p> |
| 5 | Preparation of a Roadmap to Implement Well-functioning Retail Energy Markets - Follow Up | 1 | 6 | 13 | <p>The importance of implementing the existing legislation/analysing the implementation was highlighted by several respondents.</p> <p>One respondent believed that regulators as well as policy makers should also differentiate between the various consumer segments in their assessments for the future market design in order to adapt the regulatory and policy framework to these different categories of users and consumers.</p> <p>Another two respondents suggested regulators address the topic of growing taxation and policy support costs that customers are asked to pay. One respondent urged taking into account that national retail markets have different preconditions which might require different solutions to enable effective and functioning retail markets. One stakeholder noted that the role of demand response has to be addressed. Another one noted that first the CEER Position Paper on Retail Market Competition has to be published in order to estimate whether the</p> | <p>CEER agrees that the effective implementation of existing legislation should continue to be a priority for European energy regulators.</p> <p>CEER intends to work on the concept of relevant markets, referring to consumer segmentation, product differentiation and geographical approach. CEER will consider these issues as part of its work on this topic.</p> <p>In its Position paper, CEER foresees for individual NRAs to use available metrics for their national markets, and identify which might need to be further developed.</p> <p>CEER published the Position Paper on Well-functioning Retail Energy Markets in October 2015. Preparation of a roadmap for delivering well-functioning retail energy markets to the benefit of consumers is an important next step.</p> |



| No. | Sector and title of deliverable | Not important | Important | Very important | Stakeholder comments | CEER views |
|-----|--|---------------|-----------|----------------|---|--|
| | | | | | preparation of a roadmap is needed. | |
| | Electricity | | | | | |
| 6 | Bi-annual RES Status Review of Renewable and Energy Efficiency Support Schemes in Europe | 0 | 14 | 6 | <p>Two respondents suggested including an overview of the requirements in state aid guidelines (auctioning, balancing responsibility, opening of support schemes), which have already been implemented. It should also include instruments promoting renewable energy production (tax reductions on renewables or taxes imposed on other production). One respondent suggested including demand response in the review.</p> <p>Another respondent noted that CEER should be cautious about the costs of renewable energies and the share of expense between the different types of energy should be rejected.</p> | <p>CEER will consider these issues as part of its work on this topic.</p> <p>CEER considers that cross subsidies between different energy sources should be avoided</p> |
| 7 | Status Review on Self-consumption: Developments in Member States and Key Regulatory Issues | 1 | 6 | 11 | <p>Three respondents suggested linking this deliverable to deliverable 15 (“CEER Guidelines of Good Practice on Incentives Schemes”).</p> <p>One respondent suggested CEER should act in favour of reduction of the coal consumption in power generation and work for re-evaluation of carbon price.</p> | <p>CEER considers that the regulatory issues of self-consumption to be broader than incentive arrangements for DSOs.</p> <p>CEER remains in favour of a properly functioning carbon market</p> |
| | Gas | | | | | |



| No. | Sector and title of deliverable | Not important | Important | Very important | Stakeholder comments | CEER views |
|-----|--|---------------|-----------|----------------|--|---|
| 8 | CEER Position on Gas Security of Supply Regulation Revision | 0 | 6 | 8 | Majority of stakeholders supported CEER working on this deliverable and provided issues which have to be addressed, including N-1 formula, regional cooperation, etc. One stakeholder recommended CEER identify a specific deliverable on stranded assets and stranded capacity contracts. | The N-1 formula as well as regional cooperation are already being addressed in CEER's two 2015 papers on SoS and will continue to be part of CEER's focus. CEER will consider the issue of stranded assets as part of its work on SoS but also its work on infrastructure. |
| 9 | Comparing the Efficiency of Flexibility from Gas Storage to Hubs - Follow Up | 1 | 6 | 9 | <p>One respondent pointed out that the European Commission is elaborating a joint LNG and storage strategy. It was added that LNG storage must also be considered.</p> <p>One respondent recommended CEER define a timetable for the review of the existing national gas storage interventions in the context of the European Commission's review of the Security of Supply Regulation 994/2010 and implementation of the Balancing Network Code.</p> <p>In addition, one stakeholder noted that the initiative should recognise the problem of stranded storage assets and related long-term transportation capacity, capacity requirements driven principally by security of supply needs, and the need for greater efficiency of cross-border flows and market integration. In addition, one respondent suggested that analysis could include: (1) an</p> | <p>CEER will include LNG storage in its analysis (it will be addressed in the deliverable <i>Contribution to the EC LNG Strategy</i>.)</p> <p>CEER will consider this proposal. This issue would be addressed in the deliverable <i>CEER Position on Gas Security of Supply Regulation Revision</i>.</p> <p>CEER work will be complementary to these related developments</p> |



| No. | Sector and title of deliverable | Not important | Important | Very important | Stakeholder comments | CEER views |
|-----|--|---------------|-----------|----------------|--|--|
| | | | | | assessment of the negotiated storage access or commercial access implemented in Member States; (2) an assessment of the average price for the storage access incurred by suppliers in each Member State. | CEER will consider these issues as part of its work on this topic. |
| 10 | Contribution to the EC LNG Strategy | 2 | 6 | 6 | Several respondents suggested taking into account the public consultation launched by European Commission (Consultation on an EU strategy for LNG and gas storage) and further developments to avoid overlaps. One respondent suggested clarifying the description of the CEER deliverable noting that the expression “LNG transport as an alternative to pipeline” might be misleading. Several stakeholders invited CEER to work on the LNG strategy in order to ensure the access of LNG to all EU Member States, not only in exceptional situations, but in all circumstances, according to market principles and price signals. | CEER published a response to the public consultation on LNG and gas storage. CEER will follow all developments in the European Commission concerning LNG closely and will react accordingly, based on the response to the public consultation and based on the paper it is currently developing on the role of LNG for Security of Supply. |
| 11 | Implementation of the Gas Target Model (GTM) an Update According to ‘Bridge to 2025’ Approach to Further Integrate Gas Markets | 4 | 10 | 1 | One respondent suggested it would be better to assess GTM implementation, and then to update it in 2017 rather than 2016. Several respondents were confused about the role of CEER and ACER in this process and recommended clarification on this. One respondent explicitly noted implementation should not remain a CEER priority. | NRAs will implement the GTM II in the course of 2016 and the ACER/CEER evaluation will take place in 2017. CEER will continue to support the work of ACER, including by undertaking necessary work which cannot be included in the ACER work programme. |
| 12 | Smart Metering in | 3 | 3 | 8 | One respondent noted that guidelines should | CEER will focus on other priorities in |



| No. | Sector and title of deliverable | Not important | Important | Very important | Stakeholder comments | CEER views |
|-----|---|---------------|-----------|----------------|---|---|
| | Gas | | | | reflect that the economic case for gas smart meters is different from that of electricity, and functional emphases also differ. Another two suggested that it should focus on limited importance of demand response as a result of existing storage and pipe capacity, and complexity of metering as a result of higher heating value calculation. One respondent noted that smart metering in gas has no relevance. | 2016. |
| | Cross - sectoral | | | | | |
| 13 | Consultation on Data Standardisation, Management and Responsibilities | 5 | 3 | 13 | Deliverable lacks timeline. One respondent urged CEER to start the work as soon as possible in 2016 with a deadline in Q3 2016, noting it was unclear whether CEER will work on data standardisation (standardisation of data exchanges between all players in the electricity sector), or data reporting standardisation (standardisation of the data DSOs must report to their NRA), or something else. Two respondents remarked that while technical features of data management are the remit of regulators, the way data is made available to customers and used to create new services should be left to the market. One respondent noted that the gas Network Code on Interoperability and data exchange includes a chapter on legal requirements on data exchange. In this respect, a dialogue with ENTSOG could be | <p>This deliverable will be completed in a slightly revised form as the 'Status Review of Implementation of CEER Advice on Customer Meter Data Management'.</p> <p>The deliverable will start Q1 2016 and end Q4 2016.</p> <p>CEER agrees with the majority of respondents that this topic is very important. CEER will define the outputs of this work in the light of the consultation responses and the associated timeline in greater detail. In particular, the report will link to the CEER Position Paper on Well-functioning Retail Energy Markets and the relevant metrics identified there (i.e. the number of common standards</p> |



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|-----|--|---------------|-----------|----------------|---|---|
| | | | | | considered. | for consumer data and for DSO supplier contract or availability of data). |
| 14 | Report on DSO-TSO Roles | 2 | 9 | 10 | Respondents commented on the lack of timeline and noted that the topic is very broad. One respondent invited CEER to reflect and provide recommendations on the Network Codes drafting process. | <p>The title of the work has been amended to reflect its broad nature and will be called The Future of the DSO and TSO Relationship</p> <p>The work on this deliverable has already started and CEER expects to conclude this work in Q3 2016.</p> <p>This document will explore how the relationship between DSOs and TSOs may need to evolve to ensure that efficient system solutions (either conventional or flexible) can be deployed to accommodate the needs of a sustainable energy system.</p> |
| 15 | CEER Guidelines of Good Practice on Incentives Schemes | 1 | 9 | 11 | Two respondents noted a possible duplication with themes covered in the CEER paper on the Future role of DSOs. Respondents suggested focusing on the development of DSO tariff structure, fair regulation scheme, and making recommendations on how to improve existing national incentive regulations. One respondent urged CEER to start the work on this deliverable as soon as possible in 2016 and set a deadline for Q3 2016. | <p>CEER will consider these issues as part of its work on this topic. CEER will seek to avoid duplication of topics covered in the Conclusions Paper. The final document will help NRAs to improve regulation, ensuring that distribution network services to consumers are optimal given a rapidly changing environment and that bridges are built between the current and the future role of DSO.</p> <p>CEER expects to conclude this work</p> |



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|-----|--|---------------|-----------|----------------|---|---|
| | | | | | | beginning of 2017 with a public consultation and a workshop held in Q4 2016. |
| 16 | Developing a Toolbox of Regulatory Approaches to Stimulate and Facilitate Innovation | 1 | 5 | 10 | Deliverable lacks timeline. One respondent suggested starting this work in Q2 after deliverables number 13 and 15. Respondents would have welcomed more information on what such toolbox will contain. | CEER has decided to remove this deliverable from its WP 2016. Nevertheless, innovation will be addressed in the CEER GGP on Incentives Schemes. |
| 17 | Benchmarking Report on Power Losses | 5 | 12 | 3 | Seven participants indicated they will participate in the workshop. One respondent pointed to the need to consider climate, urbanisation and other criteria that influence network losses. Moreover, common definitions and rules for calculation of losses will need to be set. One respondent suggested CEER consider supporting NRAs in implementing measures to monitor and control power losses. | CEER will consider these issues as part of its work on this topic |
| 18 | CEER Status Review on the Implementation of DSO and TSO Unbundling Provisions in the 3 rd Package | 3 | 6 | 14 | One respondent suggested including an analysis of the possibility to implement ownership unbundling. According to three respondents, CEER should notify the European Commission which Member States have not implemented the Directive according to EU law and suggest ways in which the national regulatory frameworks can be improved. | CEER will focus on other priorities in 2016, as it will finalise a report on this same topic, undertaken during 2015, in early 2016.. |



2. Conclusions

2.1. CEER evaluation of stakeholder comments

CEER appreciates the valuable suggestions and comments received. Given the reactions, we consider that our effort to set up a meaningful work plan for 2016 is generally endorsed by respondents.

Our reactions to the specific comments received are reflected in the table above, but overall, stakeholders strongly supported that the deliverables we have proposed appropriately address CEER's key priority areas.

The strong emphasis on consumer and retail market aspects in CEER's work received wide support. It was considered that the deliverables proposed correctly address consumer issues and will contribute to the implementation of the CEER-BEUC 2020 Vision and the 'Bridge to 2025'. Some respondents, however, expressed their doubts about the CEER priority (related to the 'Bridge to 2025') to set up a roadmap to secure supplier switching within 24 hours no later than 2025.

Stakeholders strongly welcomed CEER's focus on the role of Distribution System Operators (DSOs). Many respondents, however, emphasised the importance of differentiating between electricity and gas DSOs and clearly separating issues in each of the sectors as they face different technical and economic fundamentals.

CEER welcomes the support for its proposed work on new legislative/policy developments. Stakeholders' suggestions and comments will be considered as valuable input to CEER's analysis and reactions on new policy legislative developments.

Respondents' support was also received overall for CEER international work. Some respondents, however, considered international work a low priority.

The comments received in response to this consultation have been reflected in the development of CEER's 2016 work programme and will be, where appropriate, reflected in later Work Programmes from 2017 and onwards.

Inevitably there have been (and may continue to be) developments in EU energy policy which require further modifications to the CEER 2016 Work Programme which have emerged after the consultation was launched. We have updated the Work Programme to reflect these developments.



Annex 1 – List of Respondents

| Organisation |
|---|
| BEUC |
| CEDEC |
| E.ON: AGILE |
| EDSO FOR SMART GRIDS |
| ENAGAS |
| ENEL S.P.A |
| ENERGY COUNCIL FRANCE & CONSUMERS ASSOCIATION |
| ENERNOC |
| ENGIE |
| ERDF (ELECTRICITÉ RÉSEAU DISTRIBUTION FRANCE) |
| EURELECTRIC |
| EUROGAS |
| EFET (EUROPEAN FEDERATION OF ENERGY TRADERS) |
| FEDERCONSUMATORI |
| GEODE |
| GRDF |
| RWE GAS STORAGE |
| STROMNETZ BERLIN GMBH |
| SWEDENERGY |
| SWISSCOM ENERGY SOLUTIONS |
| UPRIGAZ |
| VATTENFALL AB |
| VATTENFALL ELDISTRIBUTION AB |



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 33 European countries) are the statutory bodies responsible for energy regulation at national level.

One of CEER's key objectives is to facilitate the creation of a single, competitive, efficient and sustainable EU internal energy market that works in the public 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 EU single energy market is not a goal in itself, but 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 consumers and businesses.

The work of CEER is structured according to a number of working groups and task forces, composed of staff members of the national energy regulatory authorities, and supported by the CEER Secretariat. This report was prepared by the CEER's Work Programme Drafting Committee.

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More information at www.ceer.eu.