

CEER

**Council of European
Energy Regulators**



Fostering energy markets, empowering **consumers**.

Draft CEER 2018 Work Programme
Public consultation document

Ref: C17-WPDC-29-05

12 June 2017



INFORMATION PAGE

Abstract

On 12 June 2017, European energy regulators launched a public consultation on the draft CEER 2018 Work Programme (Ref. C17-WPDC-29-05). This document outlines CEER's work plan for 2018, centered on four strategic focus areas.

Target audience

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

How to respond to this consultation

Deadline: **31 July 2017**

This public consultation is carried out through a dedicated [online questionnaire](#) on the European energy regulators' website. No login is required.

If you have any queries relating to this consultation paper or the online consultation, please contact:

CEER Secretariat
Tel. +32 (0) 2788 73 30
Email: brussels@ceer.eu

All responses except confidential material will be published on the website www.ceer.eu

Treatment of confidential responses

In the interest of transparency, Council of European Energy Regulators (CEER):

- i. will list the names of all respondents (whether confidential or not) or, alternatively, make public the number (but not the names) of confidential responses received;
- ii. request that any respondent requesting confidentiality submit those confidential aspects of their response by marking them as "confidential" in the online questionnaire. CEER will publish all parts of responses that are not marked confidential.

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



Table of Contents

1. INTRODUCTION	4
2. OUR PRIORITIES IN 2018	6
2.1 CONSUMERS AND RETAIL MARKETS.....	6
2.2 NEW LEGISLATIVE/POLICY DEVELOPMENTS.....	7
2.3 THE ROLE OF DISTRIBUTION SYSTEM OPERATORS.....	7
2.4 INTERNATIONAL WORK	7
2.5 OTHER WORK AREAS	8
3. OUR PROCESS FOR THE 2018 WORK PROGRAMME	9
4. QUESTIONS FOR CONSULTATION	9
5. CEER WORK ITEMS IN 2018	10



1. INTRODUCTION

Each year CEER prepares a work programme to identify topics which are important to advancing the regulation of energy markets and improving the effectiveness of their operation to the benefit of consumers. Consultation with stakeholders is an important part of the development of our work programme priorities.

In addition to our work within CEER, European energy regulators work actively within the working groups of the Agency for the Cooperation of Energy Regulators (ACER) where we focus on its statutory tasks relating to the development, implementation and monitoring of the cross-border regulatory framework for the effective operation of the Internal Energy Market (IEM).

The ACER Conclusions Paper "[Energy Regulation: A Bridge to 2025](#)" which was published on 23 September 2014, was prepared in close collaboration with CEER and the proposals in that document span the responsibilities of both CEER and ACER. That work is ongoing and the CEER 2018 Work Programme will include work items which relate to these priorities.

CEER has a long record of advising the Commission in its task of developing proposals to further develop the Internal Energy Market. CEER helps European NRAs play their full part in the resulting policies as they emerge. In particular, in 2018 we expect to focus on issues relating to the implementation of the Clean Energy for All Europeans EC proposals once they are adopted. We expect that the CEER Work programme for 2018 will need to be adapted to take account of these expected developments.

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.

Public consultation and further process

We invite comments on the CEER draft Work Programme **by 31 July 2017**.

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, as well as any feedback received at the CEER Customers Conference, CEER will review its draft proposals and develop a final work programme. The finalised version of the CEER 2018 Work Programme may therefore



change in several respects 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 is the voluntary association of Europe's national energy regulatory authorities (NRAs). CEER's principal functions are to fostering a sound European regulatory framework and to support the important work of NRAs by developing good practices in energy regulation, 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 2018

Like other organisations, CEER must prioritise its work so that scarce resources can be used most effectively. In recent years, CEER has prioritised a number of key areas and it is our intention to continue to focus on those areas in 2018. These areas are:

- Consumers and retail markets
- New legislative/policy developments
- The role of Distribution System Operators
- International work beyond the borders of the EU

2.1 CONSUMERS AND RETAIL MARKETS

CEER's priorities for 2018 will continue to emphasise the increasingly active involvement of customers in the development of energy markets. We will continue to encourage retail market competition and to foster appropriate levels of consumer protection in an evolving European market including during the development and implementation of the Clean Energy for All Europeans proposals.

CEER will continue to develop its Partnership for the Enforcement of Energy Rights (PEER) initiative, launched in 2016, to enhance its dialogue and collaboration with the mandated authorities responsible for supporting (and protecting) energy consumer rights (such as ombudsmen, data privacy authorities and consumer protection authorities). PEER is a (light) cross-sectoral and cross-authority form of cooperation at EU level which aims to facilitate the exchange of information and reinforce collaboration. PEER is a practical example of approaches towards fulfilling the CEER-BEUC 2020 Vision for Energy Consumers.

CEER will continue its work to enhance the monitoring of consumer empowerment and retail energy markets. We will continue to co-operate with ACER on the production of the annual Market Monitoring Report. We will also make selected case studies on the development of renewable energy communities in different countries from a regulatory and consumer perspective.

We are also committed to continuing our efforts to enable consumers to engage more effectively in energy regulation issues as well as in relation to enhancing their engagement in energy markets. This customer focus will continue in 2018 and will develop further as our consumer vision is enhanced and implemented. We will examine how the management of consumer data can increase customer engagement.



CEER has scheduled its annual Customer Conference on towards the last part of 2017 and this will be a major opportunity to focus on consumer issues.

2.2 NEW LEGISLATIVE/POLICY DEVELOPMENTS

Through CEER, European energy regulators are committed to serving as valued partners for the European Institutions in their shaping of energy policy and legislative proposals. CEER will continue to interact with, and input to, the European Commission, in particular concerning initiatives which impact energy markets. In 2017 CEER will develop a series of papers which consider the regulatory issues raised by the Clean Energy for All Europeans EC proposals and in 2018 we expect to take forward preparatory work on the implementation of the proposals. We also remain committed to working with and advising the European Commission on regulatory aspects in a range of areas, including wholesale and retail markets, smart grids and consumer rights.

2.3 THE ROLE OF DISTRIBUTION SYSTEM OPERATORS

CEER will continue to examine the changing role of DSOs and how the regulatory framework should evolve to keep pace with those changes. We will continue to monitor developments in cyber security.

Examining the changing role of DSOs in anticipation of current retail and wholesale market developments will continue to be a priority for 2018. The underlying purpose of this work is to create a regulatory toolbox which could be used to define the DSOs' role as facilitators of the market in areas which are not within the core of regulated monopoly DSO activities.

During 2018, CEER will examine important areas which contribute to the toolbox, including regulatory good practices relating to network tariff setting, incentive schemes, and flexibility use at electricity distribution level. CEER will also examine the impact on regulation of emerging services (such as aggregators) and associated activities which may impact on the role of DSOs. CEER will continue to monitor and report on the quality of electricity and gas supply.

2.4 INTERNATIONAL WORK

We will also continue to develop our 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.

Developments beyond the borders of the European Union can significantly affect the



operation of its energy markets now or in the future. The enlargement of the Union requires substantial preparation in Accession States. It is important that the energy (legislation) acquis is fully understood and good regulatory practices are in place if a smooth transition is to be assured. CEERs international work in 2018 will focus on:

- Pro-actively engaging in EU international policies and extending the Acquis;
- Promoting and supporting energy security;
- Access and exchange of expertise on good regulatory practices and market solutions; and
- Monitoring and engaging in developments that could impact on EU NRAs.

CEER will continue the commitment to dialogue with international partners, particularly near neighbours, and support to the European Commission and the external priorities outlined in the Energy Union.

2.5 OTHER WORK AREAS

CEER will continue to concentrate on enhancing the capability of European National Regulatory Authorities (NRAs) to fulfil effectively their individual responsibilities for achieving a competitive, sustainable and secure energy market in Europe. CEER will also continue to engage with policy makers to help in the development of a sound and sustainable single European energy market. CEER will enhance collaboration between member NRAs to share experiences and to identify good regulatory practices CEER will complement the work of ACER in the development and implementation of the European regulatory framework in both gas and electricity.

In 2018, CEER will build on the analysis undertaken in 2017 relating to the future development of the European market for natural gas and will consider further the implications for the regulation of European gas markets.

CEER will review the experience gained so far in the unbundling of TSOs and prepare a report. CEER will continue to monitor and report on the role of regulation in relation to the investment environment.

CEER will continue to undertake important monitoring work across a range of areas.



3. OUR PROCESS FOR THE 2018 WORK PROGRAMME

CEER has established a practice of publicly consulting on its proposed deliverables. We are seeking views on the draft CEER Work Programme in June and July 2017.

The [online questionnaire](#) for this consultation is available on the CEER website and will remain open until 31 July 2017. Following a review of the comments received to this consultation CEER aims to publish its final 2018 Work Programme in January 2018.

4. 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 31 July 2017**.

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

- CEER proposes that the 2018 Work Programme should continue to focus on the same four priority areas which have also been priorities in recent years. These are: consumers and retail markets, new legislative and policy developments, the role of distribution system operators 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 deliverables or should some be deleted or added?
- On the individual deliverables (listed in section 5 of the consultation paper):
 - Please indicate the deliverables you consider as “very important”, “important” or “not important”.
 - For the deliverables with consultations, hearings, workshops etc. do you intend to actively participate?
 - Do you have any specific comments on any of the individual deliverables?
 - Area there areas where CEER should give more focus as a result of the Clean Energy for All Europeans EC proposals?

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



5. CEER WORK ITEMS IN 2018

No.	Sector	Title	Description	Timeline*	
				Start	End
1	Consumers and retail markets	Follow up of the Clean Energy Package (regarding retail markets and consumer empowerment)	The Clean Energy Package is expected to be approved by the beginning 2018. During the forthcoming legislative process many changes on the Package can be expected. Therefore CEER will follow up the process and (if necessary) inform the decision makers of concerns and make recommendations regarding consumer empowerment and retail competition aspects.	Q1 2018	Q3 2018
2	Consumers and retail markets	ACER/CEER Market Monitoring Report on Consumer Empowerment and Protection Chapter.	As in previous years, this work will cover the monitoring of consumer protection and empowerment at European level from a legal and practical perspective.	Q4 2017	Q4 2018
3	Consumers and retail markets	Report on Retail Market Monitoring	CEER will continue to develop its activities relating to the monitoring of retail markets and will publish a report on retail market monitoring.	Q1 2018	Q4 2018
4	Gas	Follow up of recommendations emerging from CEER Study on Future Role of Gas (FROG)	The 2017 CEER study on the future role of gas examined regulatory implications which may result from the changing role of natural gas. The study outlined a set of policy actions and regulatory measures that NRAs may seek to apply in different scenarios. As a follow up to the study, CEER will consider whether it should provide further recommendations or advice related to applying these policy actions and regulatory measures.	Q1 2018	Q4 2018



No.	Sector	Title	Description	Timeline*	
				Start	End
5	Gas	Follow up of any recommendations and findings from the 'Removing LNG Barriers on Gas Markets' study	In 2017, CEER has investigated the liquidity of the LNG market and how LNG services can be improved. The findings of this study can be found in the report on "Removing LNG Barriers on Gas Markets". As a follow up to the study, CEER will consider whether it should provide further recommendations or advice related to applying these policy actions and regulatory measures.	Q1 2018	Q4 2018
6	Cross sectorial	Regulatory aspects of new practices such as self-consumption and Local Energy Communities	The development of practices like self-consumption or Local Energy communities raise a range of range of regulatory questions. CEER will develop a regulatory approach to address these developments. NRAs will be asked to describe the current and near future situations of renewable energy communities and local energy communities from a regulatory and consumers' perspective. This will create a number of case studies.	Q4 2017	Q4 2018
7	Cross sectorial	Report on Investment conditions 2018	This is an annual report which delivers a general survey about the implemented regulatory regimes, the demanded efficiency developments and analyses the overall determination of capital costs. In 2018, it will be the 7th edition of the report. The investment conditions report was for the first time published in 2016.	Q1 2018	Q4 2018
8	Cross sectorial	Report on the unbundling and certification of TSO's - where are we now and what's new in the Clean Energy for All Europeans?	The report will assess developments in the certification of the TSOs at national level since the previous unbundling & certification report. What has changed? How many NRAs certification decisions have been modified, renewed or withdrawn? What are the consequences for the unbundling? What is the possible impact of the Clean Energy for All Europeans proposals on unbundling?	Q1 2018	Q2 2018



No.	Sector	Title	Description	Timeline*	
				Start	End
9	Cross sectorial	Guidelines of Good Practice on Flexibility Use at Distribution Level	Flexibility is a crosscutting issue that needs to be considered with regard to both markets and networks. The purpose of producing these CEER guidelines is to assess flexibility from a distribution network management/development perspective. This will contribute to a comprehensive approach to the flexibility issue. The aim of the document is to provide guidelines for NRAs on how to stimulate flexibility use by DSOs when it is most efficient, but with minimal distortion to markets and competition, and in co-ordination with the needs of TSOs. This deliverable is part of developing a toolbox for the regulation of DSOs.	On-Going	Q2 2018
10	Cross sectorial	Report on New Services and Associated Activities for DSOs	The deliverable will look at and consider the impact on regulation of emerging services and associated activities that may impact the role of DSOs. This deliverable is part of developing a toolbox for the regulation of DSOs.	Q1 2018	Q4 2018
11	Cross sectorial	Distribution tariffs	CEER will continue to work on the issue of distribution tariffs to build on the report published in 2017 as part of the regulatory toolbox.	Q3 2017	Q3 2018
12	Cross sectorial	DSO Benchmarking Report	Annual update of the quality of electricity and gas supply report (Version 6.1) published August 2016.	Q1 2018	Q4 2018