
Public Consultation on 2023 Work Programme

Survey response 1

Contact details and treatment of confidential responses

Contact details: [Organisation][]

PRIORITY AREAS

1. CEER proposes that the 2023 Work Programme should focus on the six priority areas from the 2022-2025 CEER Strategy (Consumer-centric design; Sustainable and efficient infrastructure; Well-functioning markets; Energy system integration; Flexibility; Decentralised and local energy) and Significant recurring work. Whilst the areas themselves were consulted upon in the draft strategy public consultation, do you support how these areas flow into the draft 2023 Work Programme?

2. Within each priority area, do you think the Work Programme focuses on the right deliverables or should some be deleted or added? [Please note that not every aspect in each of the six core areas would be addressed in a single year's work programme.]

QUESTIONS ON INDIVIDUAL WORK ITEMS

In total, there are 17 work items proposed in the draft CEER 2023 Work Programme divided into several areas: Customers and retail markets, Distribution systems, Electricity, Gas, International Relations, Legal Affairs, Market Integrity, Regulatory Benchmarking and Recurring/Cross-sectoral. Do you have any specific comments on the individual work items? Please note that you do not have to provide comments on all proposed items.

CUSTOMERS AND RETAIL MARKETS

Work item 1: ACER-CEER Energy Retail Markets and Consumer Protection Report Description: This annual ACER-CEER Market Monitoring Report aims to monitor consumer empowerment and retail markets developments across Europe. CEER will cooperate with ACER to deliver a comprehensive monitoring report to the European Parliament, investigating progress on the national implementation of European legislation focusing on consumer protection and empowerment, as well as the consumer experience in European energy markets. The report will include detailed insights on retail market developments, such as prices, price regulation measures and market structures, as well as relevant and new consumer issues such as energy poverty and active energy consumption. The primary data source for the report consists of the CEER national indicators and respective surveys. Beyond presenting the key results of our assessment of the functioning of the Internal Energy Market (IEM) in 2022, the MMR also contains recommendations on how to address the remaining identified barriers to the completion of the IEM. Do you have any specific comment on this individual work item?

Work item 2: Report on consumer empowerment and protection during and after crisis (scenarios) Description: In light of the recent crisis scenarios in the energy sector, this deliverable will focus on the immediate and long-term effects on consumers and energy retail markets. The report aims to identify measures and strategies to protect consumers during crisis scenarios, discuss options and lessons learnt, and evaluate measures to facilitate the evolution of retail markets and consumer protection. Drawing from previous CEER work on crisis management and consequences, such as the workshops on “Game Changing Crisis” (How current developments may change consumer behaviour in the future. Loosing trust and relaunching consumer activity), the report should also amend the European Commission’s Communication on Tackling rising energy prices: a toolbox for action and support. The document will reflect on the advantages and disadvantages of different crisis management instruments and identify regulatory measures to (re)build consumer trust in a liberalised energy market. Do you have any specific comment on this individual work item?

Work item 3: Review of the metrics in CEER's 2017 Handbook for National Energy Regulators in light of the CEP implementation Description: CEER acknowledges the fact that the 2017 Handbook for National Energy Regulators and its metrics are dynamic by nature since legislation evolves as well as national circumstances. This means that CEER will look into reviewing the metrics periodically and propose updates or changes to the metrics and/or definitions when necessary. In particular, CEER will verify whether the metrics have to be adjusted or complemented with additional metrics considering that most of the acts under the Clean Energy for All Europeans Package (CEP) will have entered into force by 1 January 2021. Do you have any specific comment on this individual work item?

Work item 4: Self-Assessment Status Report 2023 for the Roadmap to Well-Functioning Retail Markets Description: This fifth Status Report continues to implement the framework developed by CEER in its 2016 "Roadmap to well-functioning retail energy markets in Europe". This framework aims to deliver reliable, affordable, and simple-to-use services to ensure the protection and empowerment of consumers by 2025. The self-assessment process can be described as a journey that starts with data collection, a reflection, and a gap analysis, leading to national recommendations and the monitoring of their implementation. The CEER Roadmap to well-functioning retail energy markets in Europe is part of CEER's pledge to realise the core principles of the CEER-BEUC 2020 Vision and the objectives set out in ACER's Bridge to 2025: Conclusions Paper Do you have any specific comment on this individual work item?

DISTRIBUTION SYSTEMS

Work item 5: CEER Cybersecurity Report on Europe's Electricity and Gas Sectors Description: Mapping the state of play of respecting cybersecurity in electricity and gas sectors Do you have any specific comment on this individual work item?

ELECTRICITY

Work item 6: High Market Prices Report Description: Energy commodity prices have reached unprecedented high levels across Europe. While various factors have contributed to the high energy prices in Europe, the main driver is the surge in the price of natural gas. RES WS will continue to engage with stakeholders and NRAs to display the reasons and state of play of the high market prices across Europe. Do you have any specific comment on this individual work item?

interference avec prix du gaz. Expliquer

Work item 7: RES Support Systems Report Description: The report is aimed to map the current approach to foster renewable energy deployment as defined by the Renewable Energy Directive 2018/2001/EU (RED II) in the EU. This report is prepared every two years. Do you have any specific comment on this individual work item?

Fosre fast track procedures

GAS

Work item 8: Accompanying the Hydrogen and Gas Market Decarbonisation Package along the legislative process Description: CEER will continue to accompany the Hydrogen and Decarbonised Gas Market Package's legislative process and react jointly to proposals introduced by the European institutions. Building on the work done in 2022, a Fast Response Team will continue to assess CEER's position on the legislative proposals. Depending on legislative developments, it will flexibly implement several different work items. Such flexible work items could include drafting position papers, proposals for legislative amendments and briefing packs or organising CEER discussions, webinars or workshops with various external stakeholders. Do you have any specific comment on this individual work item?

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Desserement des contraintes reseaux

Work item 9: Regulators' reflections on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market, including any impacts on the functioning and design of entry-exit systems Description: Regulators' reflections on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market, including any impacts Building on their work in 2022, CEER will continue to reflect on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market. This is a particularly hot topic in light of the Hydrogen and Gas Market Decarbonisation Package and will need further reflection from regulators in 2023. The paper will aim to clarify the scope entry-exit systems for decarbonised gases to avoid misinterpretations and over-regulation of the distribution level. Moreover, NRAs will aim to ensure the participation of local producers in the wholesale market via alternative solutions to full integration of transmission and distribution levels. This work item will be conducted with a certain flexibility regarding the ongoing legislative process in the European institutions and to the activities done under the Hydrogen and Decarbonised Gas Markets Package work item.on the functioning and design of entry-exit systems Do you have any specific comment on this individual work item?

Gos at EUlevel

Work item 10: Targeted recommendations on storage regulation to support security of supply Description: CEER proposes to continue working on the topic of gas storage and to develop regulators' recommendations on newly proposed legislation on security of supply and decarbonisation. CEER will continue to engage with different stakeholders to discuss regulators' proposals on energy storage more broadly. The aim is to receive feedback from infrastructure operators and market players on the need for regulation. Do you have any specific comment on this individual work item?

Work item 11: The influence of new EU LNG terminals on the future European energy market Description: For this work item, CEER will analyse the new EU LNG projects planned for the coming years. These new projects are in many cases arising from the need to reinforce security of supply for European consumers in the current energy context, which is impacted by the Russian war in Ukraine, the capacity allocation mechanisms as well as access conditions and their influence on the European Energy Market. The Position Paper could also analyse the newly available information on gas prices and put them in context with other recent developments in European LNG terminals in 2022 and 2023. Do you have any specific comment on this individual work item?

INTERNATIONAL RELATIONS

Work item 12: CEER Strategy Document for International Activities Description: CEER Strategy Document fCEER will develop a new strategic document for its international activities. It will update the previous strategy for international activities from 2013 where possible and will develop new priorities and activities where necessary. During this update of CEER's strategy for international activities, the European Commission's new international energy strategy will also be taken into account and its priorities will be aligned. The document will set out CEER's strategy for its international cooperation efforts with fellow regulators and regional regulatory associations worldwide. It will focus on the main objectives of our international dialogue and illustrate some of the activities CEER is engaged in that contribute to these goals.or International Activities Do you have any specific comment on this individual work item?

LEGAL AFFAIRS

Work item 13: Public workshop on the LAC TSO/DSO unbundling report Description: Public workshop on the LACEER legal experts will organise a public workshop with participation of external stakeholders to present the results of the latest unbundling report. The focus of this public workshop will be on the most recent developments in the unbundling practice and unbundling related novelties introduced in the most recent legislative acts (e.g. Gas Package). TSO/DSO unbundling report Do you have any specific comment on this individual work item?

MARKET INTEGRITY AND TRANSPARENCY

Work item 14: Financial Regulation and the links to REMIT Description: Gas and electricity markets have their own dedicated regulation to address market abuse and transparency – the REMIT. Recently, there have been some attempts to revise the existing legislation in a restrictive way and replace energy regulators with financial regulators in supervisory tasks for the concerned products. CEER has publicly stated that this would be inappropriate, inconsistent, and inefficient considering the experience gained in this field by energy regulators. NRAs must regularly coordinate with national and European financial regulatory authorities to ensure proper energy market functioning from a regulatory perspective. Moreover, the recent increases in wholesale electricity and gas prices, as well as in CO2 emission certificates, led to increased margin requirements by Clearing Houses, potentially precipitating supplier insolvencies. CEER will continue to monitor this specific situation in order to ensure proper market functioning. Do you have any specific comment on this individual work item?

REGULATORY BENCHMARKING

Work item 15: Assessment of the internal organisation of NRAs Description: CEER will examine the internal organisation of NRAs, in particular (1) how it has changed over time (possibly reflecting the focus areas/tasks of NRAs) – e.g. which departments have been formed/what transformations there have been; how NRAs internally organise participation in CEER WGs; and (2) what NRAs are doing now to be attractive employers (because expertise is our main asset) – e.g. whether there are fringe benefits, efforts to become a modern employer (e.g. internal emission reduction measures), flexible working arrangements (including for parents), education and training etc. Do you have any specific comment on this individual work item?

RECURRING/CROSS-SECTORAL

Work item 16: Regulatory Frameworks Report 2023 Description: The Regulatory Frameworks Report (RFR) is an annual report which delivers a general overview about the implemented national energy regulatory regimes, efficiency developments and an analysis of the overall determination of capital costs. This report was previously named as the Investment Conditions Report. The report is popular among stakeholders as it provides a clear overview of the national regulatory regimes for the energy sector. Market participants and other stakeholders use the RFR to identify the regulatory regime in certain countries. TSOs/DSOs can benchmark how other countries deal with the financial issues they face, which are reflected in the regulatory frameworks. NRAs tend to use the RFR to compare their own regulatory regimes to those in other countries. It can therefore be considered as a highly informative CEER report. The 2023 report will be the twelfth edition of the report. Do you have any specific comment on this individual work item?

Work item 17: TCB21 - Cost Efficiency Benchmark Description: The TSO Cost Efficiency Benchmark is a CEER deliverable that periodically measures the TSO cost efficiency. Such a benchmark aims to ensure that tariffs are based on efficient costs as stipulated by European law, which is an important mandate for regulators. The benchmark helps to identify the TSOs that are working efficiently and those whose work could be improved. The upcoming TSO Cost Efficiency Benchmark 2021 (TCB21) will be the sixth edition for electricity and the third for gas. The deliverable will include a consultancy to do the research and prepare the final reports. The research will likely again include several workshops for the participating NRAs and TSOs. Do you have any specific comment on this individual work item?

Survey response 2

Contact details and treatment of confidential responses

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GEODE

PRIORITY AREAS

1. CEER proposes that the 2023 Work Programme should focus on the six priority areas from the 2022-2025 CEER Strategy (Consumer-centric design; Sustainable and efficient infrastructure; Well-functioning markets; Energy system integration; Flexibility; Decentralised and local energy) and Significant recurring work. Whilst the areas themselves were consulted upon in the draft strategy public consultation, do you support how these areas flow into the draft 2023 Work Programme?
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GEODE supports the approach chosen by CEER for its 2023 Work Programme and welcomes all its areas of focus, in particular the strong attention to the role of consumers, efficient infrastructure, energy system integration, flexibility and decentralised and local energy. Energy markets are facing significant challenges following the need to achieve a more integrated energy system while coping with ever growing decentralisation of its assets. The changes resulting from this transition are posing particularly tough challenges at the lower voltage level of the grid –the distribution grid-, for instance with increased responsibilities for DSOs –as active system operators- to leverage the soaring RES, and enable flexibility to play its fair share in the energy transition enabling consumers to play an active role in the energy market. Considering the already existing challenges faced today by DSOs in this respect, GEODE is pleased that “flexibility” remains one of the main CEER priorities areas in 2023. We fully support CEER's view that the digitalisation of distribution networks is crucial.
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2. Within each priority area, do you think the Work Programme focuses on the right deliverables or should some be deleted or added? [Please note that not every aspect in each of the six core areas would be addressed in a single year's work programme.]

GEODE largely agrees with the definition of the deliverables in the different priority areas. Under the priority “Consumer centric-design”, GEODE supports CEER work items on the energy retail markets and consumer protection report that GEODE every year looks with particular attention. Under priority sustainable and efficient infrastructure GEODE welcomes all the work items, especially the work on cybersecurity on electricity and and sectors as the more digitalised the grid is the more important cybersecurity measures are. In our view, the work item annual regulatory frameworks report 2023 could be part of this priority "sustainable and efficient infrastructure as it deals with methodologies to remunerate DSOs & TSOs which is absolutely link with infrastructure development. This CEER annual report is very relevant for GEODE members. Specific item work under priority flexibility and decentralised and local energy is lacking inn our view. The development of distributed flexibility and local flexibility markets is key priority for DSOs, even more now with the start of the process for a Network Code on demand response. Under Energy System Integration priority, GEODE welcomes CEER's intention to accompanying the Hydrogen and Gas Markets Decarbonisation Package on its adoption process.

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GEODE welcomes this report that analyses carefully on an annual basis.

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This report is very important for GEODE members. As DSOs cybersecurity measures are relevant as a higher degree of digitalisation of the distribution grid increases significantly the risk of cyber-attacks making necessary new and secure measures and protection.

ELECTRICITY

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GEODE is also monitoring the adoption process of this key legislative package and welcomes CEER work on it as well and pays particular attention to its positions. In the current energy context this legislative file becomes more important than ever and a more open and wider approach should be given to the proposal. We support an open regulatory framework enabling diverse decarbonisation perspectives (hydrogen, biogas, biomethane, synthetic methane), with one common framework for all gases, including hydrogen . We encourage the use of the Regulatory Asset Base as a steppingstone to invest in H2 networks, and the development of combined network operators, as this allows for the operation of H2 networks alongside natural gas networks in the short term, and the operation of H2 networks alongside other clean and renewable gas networks in the long term.

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GEODE always participates and follows CWEER work on unbundling of DSOs/ TSOs

MARKET INTEGRITY AND TRANSPARENCY

Work item 14: Financial Regulation and the links to REMIT Description: Gas and electricity markets have their own dedicated regulation to address market abuse and transparency – the REMIT. Recently, there have been some attempts to revise the existing legislation in a restrictive way and replace energy regulators with financial regulators in supervisory tasks for the concerned products. CEER has publicly stated that this would be inappropriate, inconsistent, and inefficient considering the experience gained in this field by energy regulators. NRAs must regularly coordinate with national and European financial regulatory authorities to ensure proper energy market functioning from a regulatory perspective. Moreover, the recent increases in wholesale electricity and gas prices, as well as in CO2 emission certificates, led to increased margin requirements by Clearing Houses, potentially precipitating supplier insolvencies. CEER will continue to monitor this specific situation in order to ensure proper market functioning. Do you have any specific comment on this individual work item?

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GEODE and its members annually analyse and discuss this interesting report which allows to identify interesting best practices

Work item 17: TCB21 - Cost Efficiency Benchmark Description: The TSO Cost Efficiency Benchmark is a CEER deliverable that periodically measures the TSO cost efficiency. Such a benchmark aims to ensure that tariffs are based on efficient costs as stipulated by European law, which is an important mandate for regulators. The benchmark helps to identify the TSOs that are working efficiently and those whose work could be improved. The upcoming TSO Cost Efficiency Benchmark 2021 (TCB21) will be the sixth edition for electricity and the third for gas. The deliverable will include a consultancy to do the research and prepare the final reports. The research will likely again include several workshops for the participating NRAs and TSOs. Do you have any specific comment on this individual work item?

Survey response 3

Contact details and treatment of confidential responses

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UPRIGAZ

PRIORITY AREAS

1. CEER proposes that the 2023 Work Programme should focus on the six priority areas from the 2022-2025 CEER Strategy (Consumer-centric design; Sustainable and efficient infrastructure; Well-functioning markets; Energy system integration; Flexibility; Decentralised and local energy) and Significant recurring work. Whilst the areas themselves were consulted upon in the draft strategy public consultation, do you support how these areas flow into the draft 2023 Work Programme?
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UPRIGAZ had fully adhered to the 2022 work program of CEER. The 2023 program aims to continue the actions already undertaken, the main purpose of which was to improve consumer protection and their role in the energy transition. UPRIGAZ supports this approach and its continuation in 2023. However, the current energy crisis leads to consider new priorities contained in the Fit for 55 program and in the RePower EU that the regulatory authorities must now integrate. UPRIGAZ invites CEER to reorient its priorities to take greater account of the new conditions posed by the energy crisis.
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2. Within each priority area, do you think the Work Programme focuses on the right deliverables or should some be deleted or added? [Please note that not every aspect in each of the six core areas would be addressed in a single year's work programme.]

The acceleration of the development of renewable energies, the greater use of LNG, the reduction of consumption and the accelerated decarbonization of the economy require a revision of the framework of European regulation (aid for vulnerable consumers, possible revision of the operational rules for the access to energy wholesales markets, market surveillance, upgrading of gas and electricity transmission and distribution networks to new market conditions, etc.).
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The increase in prices on the wholesale gas and electricity markets has consequences for retail prices, in particular at the expense of the most vulnerable consumers. Faced with this situation, Member States may be tempted to act on the wholesale markets. UPRIGAZ is not in favor of this option and prefers targeted actions for the benefit of consumers most affected by price increases. However, these actions must avoid distortions of competition by encouraging consumers to improve energy efficiency and reduce their consumption. They must be limited to the duration of the crisis period. The cost of these measures should not be borne by the suppliers.

Work item 2: Report on consumer empowerment and protection during and after crisis (scenarios) Description: In light of the recent crisis scenarios in the energy sector, this deliverable will focus on the immediate and long-term effects on consumers and energy retail markets. The report aims to identify measures and strategies to protect consumers during crisis scenarios, discuss options and lessons learnt, and evaluate measures to facilitate the evolution of retail markets and consumer protection. Drawing from previous CEER work on crisis management and consequences, such as the workshops on “Game Changing Crisis” (How current developments may change consumer behaviour in the future. Loosing trust and relaunching consumer activity), the report should also amend the European Commission’s Communication on Tackling rising energy prices: a toolbox for action and support. The document will reflect on the advantages and disadvantages of different crisis management instruments and identify regulatory measures to (re)build consumer trust in a liberalised energy market. Do you have any specific comment on this individual work item?

It is necessary to encourage consumers to adopt new behaviors to get through the crisis and adapt to supply constraints and the decarbonization of the economy. These encouragements go through training but also through pricing policies that provide more incentives for management of rthe demand, curtailment and reductions in consumption.

Work item 3: Review of the metrics in CEER's 2017 Handbook for National Energy Regulators in light of the CEP implementation Description: CEER acknowledges the fact that the 2017 Handbook for National Energy Regulators and its metrics are dynamic by nature since legislation evolves as well as national circumstances. This means that CEER will look into reviewing the metrics periodically and propose updates or changes to the metrics and/or definitions when necessary. In particular, CEER will verify whether the metrics have to be adjusted or complemented with additional metrics considering that most of the acts under the Clean Energy for All Europeans Package (CEP) will have entered into force by 1 January 2021. Do you have any specific comment on this individual work item?

UPRIGAZ has no comment on this point.

Work item 4: Self-Assessment Status Report 2023 for the Roadmap to Well-Functioning Retail Markets Description: This fifth Status Report continues to implement the framework developed by CEER in its 2016 "Roadmap to well-functioning retail energy markets in Europe". This framework aims to deliver reliable, affordable, and simple-to-use services to ensure the protection and empowerment of consumers by 2025. The self-assessment process can be described as a journey that starts with data collection, a reflection, and a gap analysis, leading to national recommendations and the monitoring of their implementation. The CEER Roadmap to well-functioning retail energy markets in Europe is part of CEER's pledge to realise the core principles of the CEER-BEUC 2020 Vision and the objectives set out in ACER's Bridge to 2025: Conclusions Paper Do you have any specific comment on this individual work item?

As previously indicated by Uprigaz, the CEER Roadmap should be revised in 2023 to be better adapted to the new energy context.

DISTRIBUTION SYSTEMS

Work item 5: CEER Cybersecurity Report on Europe’s Electricity and Gas Sectors Description: Mapping the state of play of respecting cybersecurity in electricity and gas sectors Do you have any specific comment on this individual work item?

The new geopolitical context and the war in Ukraine requires strengthening the resilience of European electricity and gas systems. Coordinated actions at EU level should be strengthened.

ELECTRICITY

Work item 6: High Market Prices Report Description: Energy commodity prices have reached unprecedented high levels across Europe. While various factors have contributed to the high energy prices in Europe, the main driver is the surge in the price of natural gas. RES WS will continue to engage with stakeholders and NRAs to display the reasons and state of play of the high market prices across Europe. Do you have any specific comment on this individual work item?

UPRIGAZ adheres to the conclusions of ACER on the operation of the wholesale electricity market in Europe. It seems to us detrimental to the continuity of supply to call into question the operating rules of the wholesale electricity markets. The operating mechanism of this market should not prevent encouraging the construction of new production units, in particular those that can be controlled, by remunerating the capacities offered.

Work item 7: RES Support Systems Report Description: The report is aimed to map the current approach to foster renewable energy deployment as defined by the Renewable Energy Directive 2018/2001/EU (RED II) in the EU. This report is prepared every two years. Do you have any specific comment on this individual work item?

UPRIGAZ is in favor of accelerating the development of renewable energies in Europe, and to achieve this, the implementation of the simplification and acceleration of administrative authorization procedures and the processing of litigation appeals in all Member States.

GAS

Work item 8: Accompanying the Hydrogen and Gas Market Decarbonisation Package along the legislative process Description: CEER will continue to accompany the Hydrogen and Decarbonised Gas Market Package's legislative process and react jointly to proposals introduced by the European institutions. Building on the work done in 2022, a Fast Response Team will continue to assess CEER's position on the legislative proposals. Depending on legislative developments, it will flexibly implement several different work items. Such flexible work items could include drafting position papers, proposals for legislative amendments and briefing packs or organising CEER discussions, webinars or workshops with various external stakeholders. Do you have any specific comment on this individual work item?

UPRIGAZ is obviously in favor of the development of hydrogen. But the massive production of renewable hydrogen requires the availability of electricity. However, carbon-free electricity production capacities are currently insufficient in Europe and allocated in priority to the needs of industrial and residential consumers. Moreover, it seems premature to us to set up a hydrogen regulation model directly duplicated on the regulation of natural gas.

Work item 9: Regulators' reflections on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market, including any impacts on the functioning and design of entry-exit systems Description: Regulators' reflections on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market, including any impacts Building on their work in 2022, CEER will continue to reflect on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market. This is a particularly hot topic in light of the Hydrogen and Gas Market Decarbonisation Package and will need further reflection from regulators in 2023. The paper will aim to clarify the scope entry-exit systems for decarbonised gases to avoid misinterpretations and over-regulation of the distribution level. Moreover, NRAs will aim to ensure the participation of local producers in the wholesale market via alternative solutions to full integration of transmission and distribution levels. This work item will be conducted with a certain flexibility regarding the ongoing legislative process in the European institutions and to the activities done under the Hydrogen and Decarbonised Gas Markets Package work item.on the functioning and design of entry-exit systems Do you have any specific comment on this individual work item?

UPRIGAZ considers the development of biogas to be a priority, as it already has a large source of supply s in Europe and benefits from access to the infrastructures set up for the transport, distribution and storage of natural gas. This development must be accompanied by the establishment of a European market for guarantees of origin to give the end consumer the certification of a supply of renewable gas.

Work item 10: Targeted recommendations on storage regulation to support security of supply Description: CEER proposes to continue working on the topic of gas storage and to develop regulators' recommendations on newly proposed legislation on security of supply and decarbonisation. CEER will continue to engage with different stakeholders to discuss regulators' proposals on energy storage more broadly. The aim is to receive feedback from infrastructure operators and market players on the need for regulation. Do you have any specific comment on this individual work item?

UPRIGAZ has always been in favor of the Commission's guidelines on storage and welcomes the rapid adoption of the 2022 regulations. We believe that the storage rules are sufficiently precise and do not need to be supplemented or made more complex.

Work item 11: The influence of new EU LNG terminals on the future European energy market Description: For this work item, CEER will analyse the new EU LNG projects planned for the coming years. These new projects are in many cases arising from the need to reinforce security of supply for European consumers in the current energy context, which is impacted by the Russian war in Ukraine, the capacity allocation mechanisms as well as access conditions and their influence on the European Energy Market. The Position Paper could also analyse the newly available information on gas prices and put them in context with other recent developments in European LNG terminals in 2022 and 2023. Do you have any specific comment on this individual work item?

Recent experience has shown that operators importing LNG in Europe reacted quickly to significantly increase imports intended to satisfy the European market. UPRIGAZ draws CEER's attention to the risk that any administrative decision on the functioning of the gas market and the determination of prices, and in particular of LNG, would affect negatively Europe's supply. In addition, UPRIGAZ considers that control of the entire LNG chain, from supply in the producing country to access to regasification terminals, including access to liquefaction capacity and control of the shipping can only be exercised by operators traditionally active on the LNG market. In other words, it is an illusion to think that the supply of LNG to Europe can be the responsibility of the EU Commission.

INTERNATIONAL RELATIONS

Work item 12: CEER Strategy Document for International Activities Description: CEER will develop a new strategic document for its international activities. It will update the previous strategy for international activities from 2013 where possible and will develop new priorities and activities where necessary. During this update of CEER's strategy for international activities, the European Commission's new international energy strategy will also be taken into account and its priorities will be aligned. The document will set out CEER's strategy for its international cooperation efforts with fellow regulators and regional regulatory associations worldwide. It will focus on the main objectives of our international dialogue and illustrate some of the activities CEER is engaged in that contribute to these goals.or International Activities Do you have any specific comment on this individual work item?

UPRIGAZ has no comment on this point.

LEGAL AFFAIRS

Work item 13: Public workshop on the LAC TSO/DSO unbundling report Description: Public workshop on the LACEER legal experts will organise a public workshop with participation of external stakeholders to present the results of the latest unbundling report. The focus of this public workshop will be on the most recent developments in the unbundling practice and unbundling related novelties introduced in the most recent legislative acts (e.g. Gas Package). TSO/DSO unbundling report Do you have any specific comment on this individual work item?

UPRIGAZ considers that the unbundling applied to natural gas works satisfactorily and guarantees fair conditions of access to infrastructures and competition. On the other hand, UPRIGAZ considers that the hydrogen market has not reached a sufficient degree of maturity for the unbundling rules applicable to natural gas to be directly transposed for Hydrogen.

MARKET INTEGRITY AND TRANSPARENCY

Work item 14: Financial Regulation and the links to REMIT Description: Gas and electricity markets have their own dedicated regulation to address market abuse and transparency – the REMIT. Recently, there have been some attempts to revise the existing legislation in a restrictive way and replace energy regulators with financial regulators in supervisory tasks for the concerned products. CEER has publicly stated that this would be inappropriate, inconsistent, and inefficient considering the experience gained in this field by energy regulators. NRAs must regularly coordinate with national and European financial regulatory authorities to ensure proper energy market functioning from a regulatory perspective. Moreover, the recent increases in wholesale electricity and gas prices, as well as in CO2 emission certificates, led to increased margin requirements by Clearing Houses, potentially precipitating supplier insolvencies. CEER will continue to monitor this specific situation in order to ensure proper market functioning. Do you have any specific comment on this individual work item?

UPRIGAZ considers that the surveillance of the wholesale gas and electricity markets is working properly. On the other hand, UPRIGAZ believes, like CEER, that sectoral regulation must remain under the control of national regulators and ACER and not be transferred to financial regulators. UPRIGAZ draws CEER's attention to the effects of the energy crisis on margin calls applicable in the context of transactions on the organized gas and electricity markets. These margin calls have reached, in periods of high volatility, levels that are difficult to face for many participants in these markets, which has led some of them to favor OTC deals, which is accompanied by a significant systemic risk.

REGULATORY BENCHMARKING

Work item 15: Assessment of the internal organisation of NRAs Description: CEER will examine the internal organisation of NRAs, in particular (1) how it has changed over time (possibly reflecting the focus areas/tasks of NRAs) – e.g. which departments have been formed/what transformations there have been; how NRAs internally organise participation in CEER WGs; and (2) what NRAs are doing now to be attractive employers (because expertise is our main asset) – e.g. whether there are fringe benefits, efforts to become a modern employer (e.g. internal emission reduction measures), flexible working arrangements (including for parents), education and training etc. Do you have any specific comment on this individual work item?

It is important that regulators have the material and human resources to carry out their missions.

RECURRING/CROSS-SECTORAL

Work item 16: Regulatory Frameworks Report 2023 Description: The Regulatory Frameworks Report (RFR) is an annual report which delivers a general overview about the implemented national energy regulatory regimes, efficiency developments and an analysis of the overall determination of capital costs. This report was previously named as the Investment Conditions Report. The report is popular among stakeholders as it provides a clear overview of the national regulatory regimes for the energy sector. Market participants and other stakeholders use the RFR to identify the regulatory regime in certain countries. TSOs/DSOs can benchmark how other countries deal with the financial issues they face, which are reflected in the regulatory frameworks. NRAs tend to use the RFR to compare their own regulatory regimes to those in other countries. It can therefore be considered as a highly informative CEER report. The 2023 report will be the twelfth edition of the report. Do you have any specific comment on this individual work item?

UPRIGAZ has no comment on this point.

Work item 17: TCB21 - Cost Efficiency Benchmark Description: The TSO Cost Efficiency Benchmark is a CEER deliverable that periodically measures the TSO cost efficiency. Such a benchmark aims to ensure that tariffs are based on efficient costs as stipulated by European law, which is an important mandate for regulators. The benchmark helps to identify the TSOs that are working efficiently and those whose work could be improved. The upcoming TSO Cost Efficiency Benchmark 2021 (TCB21) will be the sixth edition for electricity and the third for gas. The deliverable will include a consultancy to do the research and prepare the final reports. The research will likely again include several workshops for the participating NRAs and TSOs. Do you have any specific comment on this individual work item?

UPRIGAZ supports the benchmarking work carried out by CEER and is favourable to its pursuit.

Survey response 4

Contact details and treatment of confidential responses

Contact details: [Organisation][[]]

Naturgy

PRIORITY AREAS

1. CEER proposes that the 2023 Work Programme should focus on the six priority areas from the 2022-2025 CEER Strategy (Consumer-centric design; Sustainable and efficient infrastructure; Well-functioning markets; Energy system integration; Flexibility; Decentralised and local energy) and Significant recurring work. Whilst the areas themselves were consulted upon in the draft strategy public consultation, do you support how these areas flow into the draft 2023 Work Programme?
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Yes, we support them.

2. Within each priority area, do you think the Work Programme focuses on the right deliverables or should some be deleted or added? [Please note that not every aspect in each of the six core areas would be addressed in a single year's work programme.]

Overall, yes, we support them.

In light of the new targets set in the REPOWEREU strategy, and considering the revision of the internal gas market and renewable energy legislation, we would also propose an specific work on renewable and low carbon gas support schemes, mirroring the work item n°7 (RES Support System Report for the Electricity sector) Alternatively, the work item n° 7, could include a new chapter for renewable gases (and thus being labelled as a cross-sectorial work).

QUESTIONS ON INDIVIDUAL WORK ITEMS

In total, there are 17 work items proposed in the draft CEER 2023 Work Programme divided into several areas: Customers and retail markets, Distribution systems, Electricity, Gas, International Relations, Legal Affairs, Market Integrity, Regulatory Benchmarking and Recurring/Cross-sectorial. Do you have any specific comments on the individual work items? Please note that you do not have to provide comments on all proposed items.

CUSTOMERS AND RETAIL MARKETS

Work item 1: ACER-CEER Energy Retail Markets and Consumer Protection Report Description: This annual ACER-CEER Market Monitoring Report aims to monitor consumer empowerment and retail markets developments across Europe. CEER will cooperate with ACER to deliver a comprehensive monitoring report to the European Parliament, investigating progress on the national implementation of European legislation focusing on consumer protection and empowerment, as well as the consumer experience in European energy markets. The report will include detailed insights on retail market developments, such as prices, price regulation measures and market structures, as well as relevant and new consumer issues such as energy poverty and active energy consumption. The primary data source for the report consists of the CEER national indicators and respective surveys. Beyond presenting the key results of our assessment of the functioning of the Internal Energy Market (IEM) in 2022, the MMR also contains recommendations on how to address the remaining identified barriers to the completion of the IEM. Do you have any specific comment on this individual work item?

Work item 2: Report on consumer empowerment and protection during and after crisis (scenarios) Description: In light of the recent crisis scenarios in the energy sector, this deliverable will focus on the immediate and long-term effects on consumers and energy retail markets. The report aims to identify measures and strategies to protect consumers during crisis scenarios, discuss options and lessons learnt, and evaluate measures to facilitate the evolution of retail markets and consumer protection. Drawing from previous CEER work on crisis management and consequences, such as the workshops on “Game Changing Crisis” (How current developments may change consumer behaviour in the future. Loosing trust and relaunching consumer activity), the report should also amend the European Commission’s Communication on Tackling rising energy prices: a toolbox for action and support. The document will reflect on the advantages and disadvantages of different crisis management instruments and identify regulatory measures to (re)build consumer trust in a liberalised energy market. Do you have any specific comment on this individual work item?

Work item 3: Review of the metrics in CEER's 2017 Handbook for National Energy Regulators in light of the CEP implementation Description: CEER acknowledges the fact that the 2017 Handbook for National Energy Regulators and its metrics are dynamic by nature since legislation evolves as well as national circumstances. This means that CEER will look into reviewing the metrics periodically and propose updates or changes to the metrics and/or definitions when necessary. In particular, CEER will verify whether the metrics have to be adjusted or complemented with additional metrics considering that most of the acts under the Clean Energy for All Europeans Package (CEP) will have entered into force by 1 January 2021. Do you have any specific comment on this individual work item?

Regulated retail prices shouldn't undermine wider objectives of EU energy policy such as competitive markets, consumer empowerment or greater energy efficiency. As for the CEP implementation, we are concerned about the transitory use of regulated energy prices which are massively applied with no clear deadline for the abandonment of this phase. The use of common technical measures, methodologies and criteria between NRAs is crucial to avoid an unnecessary prolongation of the transition period and to facilitate the progress to competitive markets. CEER should provide technical guidance to facilitate (even to recommend) the eventual abandonment of the transition period of regulated energy prices based on verifiable metrics and criteria.

Work item 4: Self-Assessment Status Report 2023 for the Roadmap to Well-Functioning Retail Markets Description: This fifth Status Report continues to implement the framework developed by CEER in its 2016 "Roadmap to well-functioning retail energy markets in Europe". This framework aims to deliver reliable, affordable, and simple-to-use services to ensure the protection and empowerment of consumers by 2025. The self-assessment process can be described as a journey that starts with data collection, a reflection, and a gap analysis, leading to national recommendations and the monitoring of their implementation. The CEER Roadmap to well-functioning retail energy markets in Europe is part of CEER's pledge to realise the core principles of the CEER-BEUC 2020 Vision and the objectives set out in ACER's Bridge to 2025: Conclusions Paper Do you have any specific comment on this individual work item?

Regulated retail prices shouldn't undermine wider objectives of EU energy policy such as competitive markets, consumer empowerment or greater energy efficiency. As for the CEP implementation, we are concerned about the transitory use of regulated energy prices which are massively applied with no clear deadline for the abandonment of this phase. The use of common technical measures, methodologies and criteria between NRAs is crucial to avoid an unnecessary prolongation of the transition period and to facilitate the progress to competitive markets. CEER should provide technical guidance to facilitate (even to recommend) the eventual abandonment of the transition period of regulated energy prices based on verifiable metrics and criteria.

DISTRIBUTION SYSTEMS

Work item 5: CEER Cybersecurity Report on Europe's Electricity and Gas Sectors Description: Mapping the state of play of respecting cybersecurity in electricity and gas sectors Do you have any specific comment on this individual work item?

ELECTRICITY

Work item 6: High Market Prices Report Description: Energy commodity prices have reached unprecedented high levels across Europe. While various factors have contributed to the high energy prices in Europe, the main driver is the surge in the price of natural gas. RES WS will continue to engage with stakeholders and NRAs to display the reasons and state of play of the high market prices across Europe. Do you have any specific comment on this individual work item?

Work item 7: RES Support Systems Report Description: The report is aimed to map the current approach to foster renewable energy deployment as defined by the Renewable Energy Directive 2018/2001/EU (RED II) in the EU. This report is prepared every two years. Do you have any specific comment on this individual work item?

As for the work item n° 7 (RES Support Systems Report), either a new chapter should be included (and thus being labelled as a cross-sectorial work), or there should be an specific work on renewable and low carbon gas support schemes. As the legislative context (REpowerEU hydrogen & biomethane EU targets; revision of RED; revision of internal gas market) is rather be favourable to this new reality, including renewable gas in the benchmark of support schemes would be very beneficial.

GAS

Work item 8: Accompanying the Hydrogen and Gas Market Decarbonisation Package along the legislative process Description: CEER will continue to accompany the Hydrogen and Decarbonised Gas Market Package's legislative process and react jointly to proposals introduced by the European institutions. Building on the work done in 2022, a Fast Response Team will continue to assess CEER's position on the legislative proposals. Depending on legislative developments, it will flexibly implement several different work items. Such flexible work items could include drafting position papers, proposals for legislative amendments and briefing packs or organising CEER discussions, webinars or workshops with various external stakeholders. Do you have any specific comment on this individual work item?

Work item 9: Regulators' reflections on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market, including any impacts on the functioning and design of entry-exit systems Description: Regulators' reflections on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market, including any impacts Building on their work in 2022, CEER will continue to reflect on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market. This is a particularly hot topic in light of the Hydrogen and Gas Market Decarbonisation Package and will need further reflection from regulators in 2023. The paper will aim to clarify the scope entry-exit systems for decarbonised gases to avoid misinterpretations and over-regulation of the distribution level. Moreover, NRAs will aim to ensure the participation of local producers in the wholesale market via alternative solutions to full integration of transmission and distribution levels. This work item will be conducted with a certain flexibility regarding the ongoing legislative process in the European institutions and to the activities done under the Hydrogen and Decarbonised Gas Markets Package work item.on the functioning and design of entry-exit systems Do you have any specific comment on this individual work item?

On energy system integration, we miss two points:

- First, a revision of the effects of biogas support schemes over the injection of renewable gas into the system. In light of recent REPOWEREU biomethane targets, supporting biogas for electricity production is no longer justified when the connection of biomethane production to gas network is technically and economically possible. Moreover, biogas production is mainly flat (non-flexible), meaning that biogas based electricity tend to progressively displace wind and solar rather than thermal generation. Even when displacing thermal generation, it must be noted that the efficiency rate of CCGTs is 55%, compared to the 40% efficiency rate of standard biogas-to-power facilities. As a consequence, CEER should analyze the effectiveness of biogas/biomethane support schemes to meet REPOWEREU targets and consider proposing recommendations if they need further adjustments.
- Second, and like in the electricity sector, the connection regime may constitute an important economic barrier for renewable gas projects (biomethane and hydrogen). In some countries, these costs are shared between producers and other system users/consumers via the access tariffs, considering that the access to renewable gas is of general interest. The socialization of connection cost is capped to a maximum cost limit, to avoid fostering biomethane production very far from the grid. An overview of the different national connection schemes and/or general recommendation on the cost-allocation of connection costs between producers and other system users or consumers should be welcomed.

Work item 10: Targeted recommendations on storage regulation to support security of supply Description: CEER proposes to continue working on the topic of gas storage and to develop regulators' recommendations on newly proposed legislation on security of supply and decarbonisation. CEER will continue to engage with different stakeholders to discuss regulators' proposals on energy storage more broadly. The aim is to receive feedback from infrastructure operators and market players on the need for regulation. Do you have any specific comment on this individual work item?

Work item 11: The influence of new EU LNG terminals on the future European energy market Description: For this work item, CEER will analyse the new EU LNG projects planned for the coming years. These new projects are in many cases arising from the need to reinforce security of supply for European consumers in the current energy context, which is impacted by the Russian war in Ukraine, the capacity allocation mechanisms as well as access conditions and their influence on the European Energy Market. The Position Paper could also analyse the newly available information on gas prices and put them in context with other recent developments in European LNG terminals in 2022 and 2023. Do you have any specific comment on this individual work item?

INTERNATIONAL RELATIONS

Work item 12: CEER Strategy Document for International Activities Description: CEER Strategy Document fCEER will develop a new strategic document for its international activities. It will update the previous strategy for international activities from 2013 where possible and will develop new priorities and activities where necessary. During this update of CEER's strategy for international activities, the European Commission's new international energy strategy will also be taken into account and its priorities will be aligned. The document will set out CEER's strategy for its international cooperation efforts with fellow regulators and regional regulatory associations worldwide. It will focus on the main objectives of our international dialogue and illustrate some of the activities CEER is engaged in that contribute to these goals.or International Activities Do you have any specific comment on this individual work item?

LEGAL AFFAIRS

Work item 13: Public workshop on the LAC TSO/DSO unbundling report Description: Public workshop on the LACEER legal experts will organise a public workshop with participation of external stakeholders to present the results of the latest unbundling report. The focus of this public workshop will be on the most recent developments in the unbundling practice and unbundling related novelties introduced in the most recent legislative acts (e.g. Gas Package). TSO/DSO unbundling report Do you have any specific comment on this individual work item?

MARKET INTEGRITY AND TRANSPARENCY

Work item 14: Financial Regulation and the links to REMIT Description: Gas and electricity markets have their own dedicated regulation to address market abuse and transparency – the REMIT. Recently, there have been some attempts to revise the existing legislation in a restrictive way and replace energy regulators with financial regulators in supervisory tasks for the concerned products. CEER has publicly stated that this would be inappropriate, inconsistent, and inefficient considering the experience gained in this field by energy regulators. NRAs must regularly coordinate with national and European financial regulatory authorities to ensure proper energy market functioning from a regulatory perspective. Moreover, the recent increases in wholesale electricity and gas prices, as well as in CO2 emission certificates, led to increased margin requirements by Clearing Houses, potentially precipitating supplier insolvencies. CEER will continue to monitor this specific situation in order to ensure proper market functioning. Do you have any specific comment on this individual work item?

REGULATORY BENCHMARKING

Work item 15: Assessment of the internal organisation of NRAs Description: CEER will examine the internal organisation of NRAs, in particular (1) how it has changed over time (possibly reflecting the focus areas/tasks of NRAs) – e.g. which departments have been formed/what transformations there have been; how NRAs internally organise participation in CEER WGs; and (2) what NRAs are doing now to be attractive employers (because expertise is our main asset) – e.g. whether there are fringe benefits, efforts to become a modern employer (e.g. internal emission reduction measures), flexible working arrangements (including for parents), education and training etc. Do you have any specific comment on this individual work item?

RECURRING/CROSS-SECTORAL

Work item 16: Regulatory Frameworks Report 2023 Description: The Regulatory Frameworks Report (RFR) is an annual report which delivers a general overview about the implemented national energy regulatory regimes, efficiency developments and an analysis of the overall determination of capital costs. This report was previously named as the Investment Conditions Report. The report is popular among stakeholders as it provides a clear overview of the national regulatory regimes for the energy sector. Market participants and other stakeholders use the RFR to identify the regulatory regime in certain countries. TSOs/DSOs can benchmark how other countries deal with the financial issues they face, which are reflected in the regulatory frameworks. NRAs tend to use the RFR to compare their own regulatory regimes to those in other countries. It can therefore be considered as a highly informative CEER report. The 2023 report will be the twelfth edition of the report. Do you have any specific comment on this individual work item?

Work item 17: TCB21 - Cost Efficiency Benchmark Description: The TSO Cost Efficiency Benchmark is a CEER deliverable that periodically measures the TSO cost efficiency. Such a benchmark aims to ensure that tariffs are based on efficient costs as stipulated by European law, which is an important mandate for regulators. The benchmark helps to identify the TSOs that are working efficiently and those whose work could be improved. The upcoming TSO Cost Efficiency Benchmark 2021 (TCB21) will be the sixth edition for electricity and the third for gas. The deliverable will include a consultancy to do the research and prepare the final reports. The research will likely again include several workshops for the participating NRAs and TSOs. Do you have any specific comment on this individual work item?

Survey response 5

Contact details and treatment of confidential responses

Contact details: [Organisation][[]]

Enagás SA

PRIORITY AREAS

1. CEER proposes that the 2023 Work Programme should focus on the six priority areas from the 2022-2025 CEER Strategy (Consumer-centric design; Sustainable and efficient infrastructure; Well-functioning markets; Energy system integration; Flexibility; Decentralised and local energy) and Significant recurring work. Whilst the areas themselves were consulted upon in the draft strategy public consultation, do you support how these areas flow into the draft 2023 Work Programme?
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Yes

2. Within each priority area, do you think the Work Programme focuses on the right deliverables or should some be deleted or added? [Please note that not every aspect in each of the six core areas would be addressed in a single year's work programme.]

Yes

QUESTIONS ON INDIVIDUAL WORK ITEMS

In total, there are 17 work items proposed in the draft CEER 2023 Work Programme divided into several areas: Customers and retail markets, Distribution systems, Electricity, Gas, International Relations, Legal Affairs, Market Integrity, Regulatory Benchmarking and Recurring/Cross-sectoral. Do you have any specific comments on the individual work items? Please note that you do not have to provide comments on all proposed items.
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CUSTOMERS AND RETAIL MARKETS

Work item 1: ACER-CEER Energy Retail Markets and Consumer Protection Report Description: This annual ACER-CEER Market Monitoring Report aims to monitor consumer empowerment and retail markets developments across Europe. CEER will cooperate with ACER to deliver a comprehensive monitoring report to the European Parliament, investigating progress on the national implementation of European legislation focusing on consumer protection and empowerment, as well as the consumer experience in European energy markets. The report will include detailed insights on retail market developments, such as prices, price regulation measures and market structures, as well as relevant and new consumer issues such as energy poverty and active energy consumption. The primary data source for the report consists of the CEER national indicators and respective surveys. Beyond presenting the key results of our assessment of the functioning of the Internal Energy Market (IEM) in 2022, the MMR also contains recommendations on how to address the remaining identified barriers to the completion of the IEM. Do you have any specific comment on this individual work item?

No

Work item 2: Report on consumer empowerment and protection during and after crisis (scenarios) Description: In light of the recent crisis scenarios in the energy sector, this deliverable will focus on the immediate and long-term effects on consumers and energy retail markets. The report aims to identify measures and strategies to protect consumers during crisis scenarios, discuss options and lessons learnt, and evaluate measures to facilitate the evolution of retail markets and consumer protection. Drawing from previous CEER work on crisis management and consequences, such as the workshops on “Game Changing Crisis” (How current developments may change consumer behaviour in the future. Loosing trust and relaunching consumer activity), the report should also amend the European Commission’s Communication on Tackling rising energy prices: a toolbox for action and support. The document will reflect on the advantages and disadvantages of different crisis management instruments and identify regulatory measures to (re)build consumer trust in a liberalised energy market. Do you have any specific comment on this individual work item?

No

Work item 3: Review of the metrics in CEER's 2017 Handbook for National Energy Regulators in light of the CEP implementation Description: CEER acknowledges the fact that the 2017 Handbook for National Energy Regulators and its metrics are dynamic by nature since legislation evolves as well as national circumstances. This means that CEER will look into reviewing the metrics periodically and propose updates or changes to the metrics and/or definitions when necessary. In particular, CEER will verify whether the metrics have to be adjusted or complemented with additional metrics considering that most of the acts under the Clean Energy for All Europeans Package (CEP) will have entered into force by 1 January 2021. Do you have any specific comment on this individual work item?

No

Work item 4: Self-Assessment Status Report 2023 for the Roadmap to Well-Functioning Retail Markets Description: This fifth Status Report continues to implement the framework developed by CEER in its 2016 "Roadmap to well-functioning retail energy markets in Europe". This framework aims to deliver reliable, affordable, and simple-to-use services to ensure the protection and empowerment of consumers by 2025. The self-assessment process can be described as a journey that starts with data collection, a reflection, and a gap analysis, leading to national recommendations and the monitoring of their implementation. The CEER Roadmap to well-functioning retail energy markets in Europe is part of CEER's pledge to realise the core principles of the CEER-BEUC 2020 Vision and the objectives set out in ACER's Bridge to 2025: Conclusions Paper Do you have any specific comment on this individual work item?

No

DISTRIBUTION SYSTEMS

Work item 5: CEER Cybersecurity Report on Europe's Electricity and Gas Sectors Description: Mapping the state of play of respecting cybersecurity in electricity and gas sectors Do you have any specific comment on this individual work item?

No

ELECTRICITY

Work item 6: High Market Prices Report Description: Energy commodity prices have reached unprecedented high levels across Europe. While various factors have contributed to the high energy prices in Europe, the main driver is the surge in the price of natural gas. RES WS will continue to engage with stakeholders and NRAs to display the reasons and state of play of the high market prices across Europe. Do you have any specific comment on this individual work item?

No

Work item 7: RES Support Systems Report Description: The report is aimed to map the current approach to foster renewable energy deployment as defined by the Renewable Energy Directive 2018/2001/EU (RED II) in the EU. This report is prepared every two years. Do you have any specific comment on this individual work item?

No

GAS

Work item 8: Accompanying the Hydrogen and Gas Market Decarbonisation Package along the legislative process Description: CEER will continue to accompany the Hydrogen and Decarbonised Gas Market Package's legislative process and react jointly to proposals introduced by the European institutions. Building on the work done in 2022, a Fast Response Team will continue to assess CEER's position on the legislative proposals. Depending on legislative developments, it will flexibly implement several different work items. Such flexible work items could include drafting position papers, proposals for legislative amendments and briefing packs or organising CEER discussions, webinars or workshops with various external stakeholders. Do you have any specific comment on this individual work item?

It could be worth to consider a Hydrogen Target Model to ensure that network codes are consistent once the Hydrogen and Gas Market Decarbonisation Package is approved.

Work item 9: Regulators' reflections on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market, including any impacts on the functioning and design of entry-exit systems Description: Regulators' reflections on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market, including any impacts Building on their work in 2022, CEER will continue to reflect on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market. This is a particularly hot topic in light of the Hydrogen and Gas Market Decarbonisation Package and will need further reflection from regulators in 2023. The paper will aim to clarify the scope entry-exit systems for decarbonised gases to avoid misinterpretations and over-regulation of the distribution level. Moreover, NRAs will aim to ensure the participation of local producers in the wholesale market via alternative solutions to full integration of transmission and distribution levels. This work item will be conducted with a certain flexibility regarding the ongoing legislative process in the European institutions and to the activities done under the Hydrogen and Decarbonised Gas Markets Package work item.on the functioning and design of entry-exit systems Do you have any specific comment on this individual work item?

As long as the distribution becomes a significant entry point for gas and hydrogen systems, it should be subject to appropriate unbundling conditions to ensure a level playing field.

Work item 10: Targeted recommendations on storage regulation to support security of supply Description: CEER proposes to continue working on the topic of gas storage and to develop regulators' recommendations on newly proposed legislation on security of supply and decarbonisation. CEER will continue to engage with different stakeholders to discuss regulators' proposals on energy storage more broadly. The aim is to receive feedback from infrastructure operators and market players on the need for regulation. Do you have any specific comment on this individual work item?

It is necessary to evaluate if storage operators should be subject to the same unbundling conditions as transmission operators to ensure their neutrality.

Work item 11: The influence of new EU LNG terminals on the future European energy market Description: For this work item, CEER will analyse the new EU LNG projects planned for the coming years. These new projects are in many cases arising from the need to reinforce security of supply for European consumers in the current energy context, which is impacted by the Russian war in Ukraine, the capacity allocation mechanisms as well as access conditions and their influence on the European Energy Market. The Position Paper could also analyse the newly available information on gas prices and put them in context with other recent developments in European LNG terminals in 2022 and 2023. Do you have any specific comment on this individual work item?

The Position Paper should not only be focused on new LNG terminals but also include in the assessment how to increase the usage of existing ones. The existing capacity of the LNG terminals in the Iberian Peninsula (74 bcm/y or 850 TWh/y) could further mitigate the risk of demand curtailment if bottlenecks between the Iberian Peninsula and the rest of Europe were removed.

INTERNATIONAL RELATIONS

Work item 12: CEER Strategy Document for International Activities Description: CEER Strategy Document fCEER will develop a new strategic document for its international activities. It will update the previous strategy for international activities from 2013 where possible and will develop new priorities and activities where necessary. During this update of CEER's strategy for international activities, the European Commission's new international energy strategy will also be taken into account and its priorities will be aligned. The document will set out CEER's strategy for its international cooperation efforts with fellow regulators and regional regulatory associations worldwide. It will focus on the main objectives of our international dialogue and illustrate some of the activities CEER is engaged in that contribute to these goals.or International Activities Do you have any specific comment on this individual work item?

No

LEGAL AFFAIRS

Work item 13: Public workshop on the LAC TSO/DSO unbundling report Description: Public workshop on the LACEER legal experts will organise a public workshop with participation of external stakeholders to present the results of the latest unbundling report. The focus of this public workshop will be on the most recent developments in the unbundling practice and unbundling related novelties introduced in the most recent legislative acts (e.g. Gas Package). TSO/DSO unbundling report Do you have any specific comment on this individual work item?

No

MARKET INTEGRITY AND TRANSPARENCY

Work item 14: Financial Regulation and the links to REMIT Description: Gas and electricity markets have their own dedicated regulation to address market abuse and transparency – the REMIT. Recently, there have been some attempts to revise the existing legislation in a restrictive way and replace energy regulators with financial regulators in supervisory tasks for the concerned products. CEER has publicly stated that this would be inappropriate, inconsistent, and inefficient considering the experience gained in this field by energy regulators. NRAs must regularly coordinate with national and European financial regulatory authorities to ensure proper energy market functioning from a regulatory perspective. Moreover, the recent increases in wholesale electricity and gas prices, as well as in CO2 emission certificates, led to increased margin requirements by Clearing Houses, potentially precipitating supplier insolvencies. CEER will continue to monitor this specific situation in order to ensure proper market functioning. Do you have any specific comment on this individual work item?

No

REGULATORY BENCHMARKING

Work item 15: Assessment of the internal organisation of NRAs Description: CEER will examine the internal organisation of NRAs, in particular (1) how it has changed over time (possibly reflecting the focus areas/tasks of NRAs) – e.g. which departments have been formed/what transformations there have been; how NRAs internally organise participation in CEER WGs; and (2) what NRAs are doing now to be attractive employers (because expertise is our main asset) – e.g. whether there are fringe benefits, efforts to become a modern employer (e.g. internal emission reduction measures), flexible working arrangements (including for parents), education and training etc. Do you have any specific comment on this individual work item?

No

RECURRING/CROSS-SECTORAL

Work item 16: Regulatory Frameworks Report 2023 Description: The Regulatory Frameworks Report (RFR) is an annual report which delivers a general overview about the implemented national energy regulatory regimes, efficiency developments and an analysis of the overall determination of capital costs. This report was previously named as the Investment Conditions Report. The report is popular among stakeholders as it provides a clear overview of the national regulatory regimes for the energy sector. Market participants and other stakeholders use the RFR to identify the regulatory regime in certain countries. TSOs/DSOs can benchmark how other countries deal with the financial issues they face, which are reflected in the regulatory frameworks. NRAs tend to use the RFR to compare their own regulatory regimes to those in other countries. It can therefore be considered as a highly informative CEER report. The 2023 report will be the twelfth edition of the report. Do you have any specific comment on this individual work item?

The new format adopted in 2019, providing a “Compact Description of the Regulatory Framework” per country, fails to provide a transversal comparison of practices summarising in one table the practice for each of the relevant parameters. ACER should aim at providing the information already in the report in the most user-friendly manner if required in an annex.

Work item 17: TCB21 - Cost Efficiency Benchmark Description: The TSO Cost Efficiency Benchmark is a CEER deliverable that periodically measures the TSO cost efficiency. Such a benchmark aims to ensure that tariffs are based on efficient costs as stipulated by European law, which is an important mandate for regulators. The benchmark helps to identify the TSOs that are working efficiently and those whose work could be improved. The upcoming TSO Cost Efficiency Benchmark 2021 (TCB21) will be the sixth edition for electricity and the third for gas. The deliverable will include a consultancy to do the research and prepare the final reports. The research will likely again include several workshops for the participating NRAs and TSOs. Do you have any specific comment on this individual work item?

The cost Efficiency Benchmark should include all EU countries.

Survey response 6

Contact details and treatment of confidential responses

Contact details: [Organisation][]

EDF

PRIORITY AREAS

1. CEER proposes that the 2023 Work Programme should focus on the six priority areas from the 2022-2025 CEER Strategy (Consumer-centric design; Sustainable and efficient infrastructure; Well-functioning markets; Energy system integration; Flexibility; Decentralised and local energy) and Significant recurring work. Whilst the areas themselves were consulted upon in the draft strategy public consultation, do you support how these areas flow into the draft 2023 Work Programme?
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2. Within each priority area, do you think the Work Programme focuses on the right deliverables or should some be deleted or added? [Please note that not every aspect in each of the six core areas would be addressed in a single year's work programme.]

EDF welcomes this CEER consultation on its 2023 draft Work Programme. EDF will not comment all the deliverables presented but would like to share some thoughts and lessons drawn from the context of high energy prices (item 6), as well as of some concerns related to the retail market and customer protection (items 2 and 3), area where CEER is very active.

- The European Commission and ACER/CEER assessments have highlighted that in terms of market design long-term measures are needed along further improvements of short-term markets. EDF welcomes these assessments, especially the need for long-term arrangements and price signals able to trigger the necessary investments. EDF is comfortable with the short-term optimization component of the present market design, but indeed considers that this design does not provide the necessary long-term signals to ensure that the huge amount of investments to be carried out for the energy transition and the security of supply will be delivered. Beyond a proper long-term planning, it should therefore be complemented by long-term arrangements in order to provide both investors and consumers with the necessary visibility on prices, and thereby also contribute to restore trust between customers and suppliers. This is a diagnosis that we have been pushing in the debates for long – i.e. before the high prices context - and both the present high prices and war situations are shedding a new light on this. In this context, EDF welcomes among others the announcement by ACER / CEER of a coming policy paper on investment driven hedging beyond 3 years.

- On dynamic price offers: by exposing customers too much to the volatility of market prices, offers indexed on spot market prices have revealed their uselessness for the security of the system insofar as customers were massively leaving such offers in period of price hikes and suppliers were putting an end to supply, and even withdrawing from the market. Moving to Time-of-Use offers, more supportive to the development of demand flexibility, should be considered as meeting the definition of dynamic pricing.

- On the concept of “intermittent suppliers”: as prices have risen, suppliers have encouraged their customers to leave them. This behavior opens up a new concept, namely that of the “intermittent supplier”, making commercially aggressive promises in good times and leaving customers on the side of the road and to other suppliers to take over in bad times. Such a behavior shows the inability of some suppliers to hedge against the risks of price changes on the wholesale market. As a result of these opportunistic behaviors and new arbitrage strategies, not only can customers experience significant increases in their bills, but other electricity suppliers incur significant costs associated with the recovery of unplanned customers.

- On early termination fees: their prohibition could make annual or even multi-year fixed price/smoothed out price offers disappear. Indeed, without the commitment from the customer, the supplier will no longer be able to propose this type of offer. In the long term, the risk is that only short-term price offers or offers indexed on volatile market prices will be proposed to customers.

- The current context has highlighted the limits of the indicators used by the European Union to monitor and assess the functioning of the energy market (very theoretical indicators or with arbitrary/normative thresholds : large number of suppliers, churn rate in particular). It would be desirable to reassess these indicators in order to provide a more complete and accurate picture of the competition on the energy market and also the proper functioning of the market , also using some more qualitative indicators to assess customer satisfaction for example.

QUESTIONS ON INDIVIDUAL WORK ITEMS

In total, there are 17 work items proposed in the draft CEER 2023 Work Programme divided into several areas: Customers and retail markets, Distribution systems, Electricity, Gas, International Relations, Legal Affairs, Market Integrity, Regulatory Benchmarking and Recurring/Cross-sectoral. Do you have any specific comments on the individual work items? Please note that you do not have to provide comments on all proposed items.

CUSTOMERS AND RETAIL MARKETS

Work item 1: ACER-CEER Energy Retail Markets and Consumer Protection Report Description: This annual ACER-CEER Market Monitoring Report aims to monitor consumer empowerment and retail markets developments across Europe. CEER will cooperate with ACER to deliver a comprehensive monitoring report to the European Parliament, investigating progress on the national implementation of European legislation focusing on consumer protection and empowerment, as well as the consumer experience in European energy markets. The report will include detailed insights on retail market developments, such as prices, price regulation measures and market structures, as well as relevant and new consumer issues such as energy poverty and active energy consumption. The primary data source for the report consists of the CEER national indicators and respective surveys. Beyond presenting the key results of our assessment of the functioning of the Internal Energy Market (IEM) in 2022, the MMR also contains recommendations on how to address the remaining identified barriers to the completion of the IEM. Do you have any specific comment on this individual work item?

Work item 2: Report on consumer empowerment and protection during and after crisis (scenarios) Description: In light of the recent crisis scenarios in the energy sector, this deliverable will focus on the immediate and long-term effects on consumers and energy retail markets. The report aims to identify measures and strategies to protect consumers during crisis scenarios, discuss options and lessons learnt, and evaluate measures to facilitate the evolution of retail markets and consumer protection. Drawing from previous CEER work on crisis management and consequences, such as the workshops on "Game Changing Crisis" (How current developments may change consumer behaviour in the future. Loosing trust and relaunching consumer activity), the report should also amend the European Commission's Communication on Tackling rising energy prices: a toolbox for action and support. The document will reflect on the advantages and disadvantages of different crisis management instruments and identify regulatory measures to (re)build consumer trust in a liberalised energy market. Do you have any specific comment on this individual work item?

See our response to question 2.

Work item 3: Review of the metrics in CEER's 2017 Handbook for National Energy Regulators in light of the CEP implementation Description: CEER acknowledges the fact that the 2017 Handbook for National Energy Regulators and its metrics are dynamic by nature since legislation evolves as well as national circumstances. This means that CEER will look into reviewing the metrics periodically and propose updates or changes to the metrics and/or definitions when necessary. In particular, CEER will verify whether the metrics have to be adjusted or complemented with additional metrics considering that most of the acts under the Clean Energy for All Europeans Package (CEP) will have entered into force by 1 January 2021. Do you have any specific comment on this individual work item?

See our response to question 2.

Work item 4: Self-Assessment Status Report 2023 for the Roadmap to Well-Functioning Retail Markets Description: This fifth Status Report continues to implement the framework developed by CEER in its 2016 "Roadmap to well-functioning retail energy markets in Europe". This framework aims to deliver reliable, affordable, and simple-to-use services to ensure the protection and empowerment of consumers by 2025. The self-assessment process can be described as a journey that starts with data collection, a reflection, and a gap analysis, leading to national recommendations and the monitoring of their implementation. The CEER Roadmap to well-functioning retail energy markets in Europe is part of CEER's pledge to realise the core principles of the CEER-BEUC 2020 Vision and the objectives set out in ACER's Bridge to 2025: Conclusions Paper Do you have any specific comment on this individual work item?

DISTRIBUTION SYSTEMS

Work item 5: CEER Cybersecurity Report on Europe's Electricity and Gas Sectors Description: Mapping the state of play of respecting cybersecurity in electricity and gas sectors Do you have any specific comment on this individual work item?

ELECTRICITY

Work item 6: High Market Prices Report Description: Energy commodity prices have reached unprecedented high levels across Europe. While various factors have contributed to the high energy prices in Europe, the main driver is the surge in the price of natural gas. RES WS will continue to engage with stakeholders and NRAs to display the reasons and state of play of the high market prices across Europe. Do you have any specific comment on this individual work item?

See our response to question 2.

Work item 7: RES Support Systems Report Description: The report is aimed to map the current approach to foster renewable energy deployment as defined by the Renewable Energy Directive 2018/2001/EU (RED II) in the EU. This report is prepared every two years. Do you have any specific comment on this individual work item?

GAS

Work item 8: Accompanying the Hydrogen and Gas Market Decarbonisation Package along the legislative process Description: CEER will continue to accompany the Hydrogen and Decarbonised Gas Market Package's legislative process and react jointly to proposals introduced by the European institutions. Building on the work done in 2022, a Fast Response Team will continue to assess CEER's position on the legislative proposals. Depending on legislative developments, it will flexibly implement several different work items. Such flexible work items could include drafting position papers, proposals for legislative amendments and briefing packs or organising CEER discussions, webinars or workshops with various external stakeholders. Do you have any specific comment on this individual work item?

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Work item 10: Targeted recommendations on storage regulation to support security of supply Description: CEER proposes to continue working on the topic of gas storage and to develop regulators' recommendations on newly proposed legislation on security of supply and decarbonisation. CEER will continue to engage with different stakeholders to discuss regulators' proposals on energy storage more broadly. The aim is to receive feedback from infrastructure operators and market players on the need for regulation. Do you have any specific comment on this individual work item?

Work item 11: The influence of new EU LNG terminals on the future European energy market Description: For this work item, CEER will analyse the new EU LNG projects planned for the coming years. These new projects are in many cases arising from the need to reinforce security of supply for European consumers in the current energy context, which is impacted by the Russian war in Ukraine, the capacity allocation mechanisms as well as access conditions and their influence on the European Energy Market. The Position Paper could also analyse the newly available information on gas prices and put them in context with other recent developments in European LNG terminals in 2022 and 2023. Do you have any specific comment on this individual work item?

INTERNATIONAL RELATIONS

Work item 12: CEER Strategy Document for International Activities Description: CEER Strategy Document fCEER will develop a new strategic document for its international activities. It will update the previous strategy for international activities from 2013 where possible and will develop new priorities and activities where necessary. During this update of CEER's strategy for international activities, the European Commission's new international energy strategy will also be taken into account and its priorities will be aligned. The document will set out CEER's strategy for its international cooperation efforts with fellow regulators and regional regulatory associations worldwide. It will focus on the main objectives of our international dialogue and illustrate some of the activities CEER is engaged in that contribute to these goals.or International Activities Do you have any specific comment on this individual work item?

LEGAL AFFAIRS

Work item 13: Public workshop on the LAC TSO/DSO unbundling report Description: Public workshop on the LACEER legal experts will organise a public workshop with participation of external stakeholders to present the results of the latest unbundling report. The focus of this public workshop will be on the most recent developments in the unbundling practice and unbundling related novelties introduced in the most recent legislative acts (e.g. Gas Package). TSO/DSO unbundling report Do you have any specific comment on this individual work item?

MARKET INTEGRITY AND TRANSPARENCY

Work item 14: Financial Regulation and the links to REMIT Description: Gas and electricity markets have their own dedicated regulation to address market abuse and transparency – the REMIT. Recently, there have been some attempts to revise the existing legislation in a restrictive way and replace energy regulators with financial regulators in supervisory tasks for the concerned products. CEER has publicly stated that this would be inappropriate, inconsistent, and inefficient considering the experience gained in this field by energy regulators. NRAs must regularly coordinate with national and European financial regulatory authorities to ensure proper energy market functioning from a regulatory perspective. Moreover, the recent increases in wholesale electricity and gas prices, as well as in CO2 emission certificates, led to increased margin requirements by Clearing Houses, potentially precipitating supplier insolvencies. CEER will continue to monitor this specific situation in order to ensure proper market functioning. Do you have any specific comment on this individual work item?

REGULATORY BENCHMARKING

Work item 15: Assessment of the internal organisation of NRAs Description: CEER will examine the internal organisation of NRAs, in particular (1) how it has changed over time (possibly reflecting the focus areas/tasks of NRAs) – e.g. which departments have been formed/what transformations there have been; how NRAs internally organise participation in CEER WGs; and (2) what NRAs are doing now to be attractive employers (because expertise is our main asset) – e.g. whether there are fringe benefits, efforts to become a modern employer (e.g. internal emission reduction measures), flexible working arrangements (including for parents), education and training etc. Do you have any specific comment on this individual work item?

RECURRING/CROSS-SECTORAL

Work item 16: Regulatory Frameworks Report 2023 Description: The Regulatory Frameworks Report (RFR) is an annual report which delivers a general overview about the implemented national energy regulatory regimes, efficiency developments and an analysis of the overall determination of capital costs. This report was previously named as the Investment Conditions Report. The report is popular among stakeholders as it provides a clear overview of the national regulatory regimes for the energy sector. Market participants and other stakeholders use the RFR to identify the regulatory regime in certain countries. TSOs/DSOs can benchmark how other countries deal with the financial issues they face, which are reflected in the regulatory frameworks. NRAs tend to use the RFR to compare their own regulatory regimes to those in other countries. It can therefore be considered as a highly informative CEER report. The 2023 report will be the twelfth edition of the report. Do you have any specific comment on this individual work item?

Work item 17: TCB21 - Cost Efficiency Benchmark Description: The TSO Cost Efficiency Benchmark is a CEER deliverable that periodically measures the TSO cost efficiency. Such a benchmark aims to ensure that tariffs are based on efficient costs as stipulated by European law, which is an important mandate for regulators. The benchmark helps to identify the TSOs that are working efficiently and those whose work could be improved. The upcoming TSO Cost Efficiency Benchmark 2021 (TCB21) will be the sixth edition for electricity and the third for gas. The deliverable will include a consultancy to do the research and prepare the final reports. The research will likely again include several workshops for the participating NRAs and TSOs. Do you have any specific comment on this individual work item?

Survey response 7

Contact details and treatment of confidential responses

Contact details: [Organisation][[]]

ENEL SpA

PRIORITY AREAS

1. CEER proposes that the 2023 Work Programme should focus on the six priority areas from the 2022-2025 CEER Strategy (Consumer-centric design; Sustainable and efficient infrastructure; Well-functioning markets; Energy system integration; Flexibility; Decentralised and local energy) and Significant recurring work. Whilst the areas themselves were consulted upon in the draft strategy public consultation, do you support how these areas flow into the draft 2023 Work Programme?
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On the Decentralised & Local Energy markets, We consider that, in order to empower customers and active market participation, market-based solutions for flexibility procurement are to be sought as a default. DSOs, as backbones of the energy transition, will play the key role as market facilitators, allowing efficient and transparent flexibility procurement mechanisms. This will enable the creation of a supportive environment and the design of a market-based procurement approach in dialogue with all prosumers and other relevant stakeholders.

We also would like to reinforce, that Digital solutions are indeed extremely relevant for the development of the electricity system as a whole and also to boost consumers' empowerment granting them access to information and tools to manage their demand patterns according to internal and external inputs. The digitalisation of the energy sector is increasing, bringing great changes for consumers and will offer several opportunities, but it also presents challenges that have already been faced in many other sectors - for instance, in terms of privacy, data protection, data access and cybersecurity. On that note, we would like to reinforce the regulatory dimension: Enabling energy system integration: integrating renewables, and incentivising innovation and digitalisation.

Furthermore, when considering H2, we believe that the focus should be predominantly on hydrogen's end uses (aviation, maritime transport, hard-to-abate industry), and not on the transport of hydrogen. The legislative Dossiers should take into specific consideration the current status and foreseeable developments of hydrogen production and demand patterns, taking into account the level of uncertainty strictly linked to the incipient status of such technologies. We consider that hydrogen should be carefully compared against other decarbonization options (i.e. direct electrification) and chosen only when it represents the most economically efficient and sustainable alternative, from a system point of view. If large quantities of hydrogen would need to be distributed, to accommodate its priority should be given to repurposing and reusing the existing gas infrastructure, where technically feasible and cost-effective, instead of making investments in new infrastructures. Should a dedicated regulation of hydrogen networks be needed, it should be developed only when such a network starts to unfold and has reached a certain scale, in terms of feed-in points, customers and volumes.

We would like to highlight that we consider e-Mobility (charging) as a key component, and we consider that it should be mapped within the core areas. Electric Vehicles are both mobile loads and mobile energy storage units: they can provide flexibility locally and to the electricity system in both capacities. Even though their primary purpose is to serve mobility needs, an integrated perspective on the interaction between transport and energy sectors is required to drive the decarbonisation of the former, optimize energy system efficiency, to leverage their contribution to the decarbonisation of the power system, and to empower consumers.

2. Within each priority area, do you think the Work Programme focuses on the right deliverables or should some be deleted or added? [Please note that not every aspect in each of the six core areas would be addressed in a single year's work programme.]

An attention point!

To achieve affordability, all taxes, charges, and levies not linked with the energy supply shouldn't be included in the energy bill if we want to achieve affordable prices contributing to the energy transition

QUESTIONS ON INDIVIDUAL WORK ITEMS

In total, there are 17 work items proposed in the draft CEER 2023 Work Programme divided into several areas: Customers and retail markets, Distribution systems, Electricity, Gas, International Relations, Legal Affairs, Market Integrity, Regulatory Benchmarking and Recurring/Cross-sectoral. Do you have any specific comments on the individual work items? Please note that you do not have to provide comments on all proposed items.

CUSTOMERS AND RETAIL MARKETS

Work item 1: ACER-CEER Energy Retail Markets and Consumer Protection Report Description: This annual ACER-CEER Market Monitoring Report aims to monitor consumer empowerment and retail markets developments across Europe. CEER will cooperate with ACER to deliver a comprehensive monitoring report to the European Parliament, investigating progress on the national implementation of European legislation focusing on consumer protection and empowerment, as well as the consumer experience in European energy markets. The report will include detailed insights on retail market developments, such as prices, price regulation measures and market structures, as well as relevant and new consumer issues such as energy poverty and active energy consumption. The primary data source for the report consists of the CEER national indicators and respective surveys. Beyond presenting the key results of our assessment of the functioning of the Internal Energy Market (IEM) in 2022, the MMR also contains recommendations on how to address the remaining identified barriers to the completion of the IEM. Do you have any specific comment on this individual work item?

Work item 2: Report on consumer empowerment and protection during and after crisis (scenarios) Description: In light of the recent crisis scenarios in the energy sector, this deliverable will focus on the immediate and long-term effects on consumers and energy retail markets. The report aims to identify measures and strategies to protect consumers during crisis scenarios, discuss options and lessons learnt, and evaluate measures to facilitate the evolution of retail markets and consumer protection. Drawing from previous CEER work on crisis management and consequences, such as the workshops on "Game Changing Crisis" (How current developments may change consumer behaviour in the future. Losing trust and relaunching consumer activity), the report should also amend the European Commission's Communication on Tackling rising energy prices: a toolbox for action and support. The document will reflect on the advantages and disadvantages of different crisis management instruments and identify regulatory measures to (re)build consumer trust in a liberalised energy market. Do you have any specific comment on this individual work item?

Work item 3: Review of the metrics in CEER's 2017 Handbook for National Energy Regulators in light of the CEP implementation Description: CEER acknowledges the fact that the 2017 Handbook for National Energy Regulators and its metrics are dynamic by nature since legislation evolves as well as national circumstances. This means that CEER will look into reviewing the metrics periodically and propose updates or changes to the metrics and/or definitions when necessary. In particular, CEER will verify whether the metrics have to be adjusted or complemented with additional metrics considering that most of the acts under the Clean Energy for All Europeans Package (CEP) will have entered into force by 1 January 2021. Do you have any specific comment on this individual work item?

A higher emphasis on the role of smart meters could be envisaged by CEER. Europe-wide vision today on how metering and access to data and functionality of relevant customer assets should be accelerated in a consistent way following industry developments in IoT and communication technologies. Therefore, from a customer perspective, the grid edge and metering should develop fast, providing customers with better visibility into their energy consumption, and enabling the full deployment of new market models (e.g. demand response), which will bring an enhanced engagement and compelling proposition for empowering customers.

Work item 4: Self-Assessment Status Report 2023 for the Roadmap to Well-Functioning Retail Markets Description: This fifth Status Report continues to implement the framework developed by CEER in its 2016 "Roadmap to well-functioning retail energy markets in Europe". This framework aims to deliver reliable, affordable, and simple-to-use services to ensure the protection and empowerment of consumers by 2025. The self-assessment process can be described as a journey that starts with data collection, a reflection, and a gap analysis, leading to national recommendations and the monitoring of their implementation. The CEER Roadmap to well-functioning retail energy markets in Europe is part of CEER's pledge to realise the core principles of the CEER-BEUC 2020 Vision and the objectives set out in ACER's Bridge to 2025: Conclusions Paper Do you have any specific comment on this individual work item?

DISTRIBUTION SYSTEMS

Work item 5: CEER Cybersecurity Report on Europe's Electricity and Gas Sectors Description: Mapping the state of play of respecting cybersecurity in electricity and gas sectors Do you have any specific comment on this individual work item?

ELECTRICITY

Work item 6: High Market Prices Report Description: Energy commodity prices have reached unprecedented high levels across Europe. While various factors have contributed to the high energy prices in Europe, the main driver is the surge in the price of natural gas. RES WS will continue to engage with stakeholders and NRAs to display the reasons and state of play of the high market prices across Europe. Do you have any specific comment on this individual work item?

We welcome CEER's recognition of the price of gas as the underlying reason for the recent price shock in the electricity market. As analysis continues on possible improvements to the market design, we highly encourage CEER to consider the short-, medium-, and long-term implications of any recommended measures, including setting a price cap on gas at the EU level. And we welcome CEER's recognition of the need to better define the roles of new market participants who will contribute to the further concurrent integration and decentralization of the energy system.

Work item 7: RES Support Systems Report Description: The report is aimed to map the current approach to foster renewable energy deployment as defined by the Renewable Energy Directive 2018/2001/EU (RED II) in the EU. This report is prepared every two years. Do you have any specific comment on this individual work item?

GAS

Work item 8: Accompanying the Hydrogen and Gas Market Decarbonisation Package along the legislative process Description: CEER will continue to accompany the Hydrogen and Decarbonised Gas Market Package's legislative process and react jointly to proposals introduced by the European institutions. Building on the work done in 2022, a Fast Response Team will continue to assess CEER's position on the legislative proposals. Depending on legislative developments, it will flexibly implement several different work items. Such flexible work items could include drafting position papers, proposals for legislative amendments and briefing packs or organising CEER discussions, webinars or workshops with various external stakeholders. Do you have any specific comment on this individual work item?

Work item 9: Regulators' reflections on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market, including any impacts on the functioning and design of entry-exit systems Description: Regulators' reflections on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market, including any impacts Building on their work in 2022, CEER will continue to reflect on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market. This is a particularly hot topic in light of the Hydrogen and Gas Market Decarbonisation Package and will need further reflection from regulators in 2023. The paper will aim to clarify the scope entry-exit systems for decarbonised gases to avoid misinterpretations and over-regulation of the distribution level. Moreover, NRAs will aim to ensure the participation of local producers in the wholesale market via alternative solutions to full integration of transmission and distribution levels. This work item will be conducted with a certain flexibility regarding the ongoing legislative process in the European institutions and to the activities done under the Hydrogen and Decarbonised Gas Markets Package work item.on the functioning and design of entry-exit systems Do you have any specific comment on this individual work item?

Work item 10: Targeted recommendations on storage regulation to support security of supply Description: CEER proposes to continue working on the topic of gas storage and to develop regulators' recommendations on newly proposed legislation on security of supply and decarbonisation. CEER will continue to engage with different stakeholders to discuss regulators' proposals on energy storage more broadly. The aim is to receive feedback from infrastructure operators and market players on the need for regulation. Do you have any specific comment on this individual work item?

Work item 11: The influence of new EU LNG terminals on the future European energy market Description: For this work item, CEER will analyse the new EU LNG projects planned for the coming years. These new projects are in many cases arising from the need to reinforce security of supply for European consumers in the current energy context, which is impacted by the Russian war in Ukraine, the capacity allocation mechanisms as well as access conditions and their influence on the European Energy Market. The Position Paper could also analyse the newly available information on gas prices and put them in context with other recent developments in European LNG terminals in 2022 and 2023. Do you have any specific comment on this individual work item?

INTERNATIONAL RELATIONS

Work item 12: CEER Strategy Document for International Activities Description: CEER Strategy Document fCEER will develop a new strategic document for its international activities. It will update the previous strategy for international activities from 2013 where possible and will develop new priorities and activities where necessary. During this update of CEER's strategy for international activities, the European Commission's new international energy strategy will also be taken into account and its priorities will be aligned. The document will set out CEER's strategy for its international cooperation efforts with fellow regulators and regional regulatory associations worldwide. It will focus on the main objectives of our international dialogue and illustrate some of the activities CEER is engaged in that contribute to these goals.or International Activities Do you have any specific comment on this individual work item?

LEGAL AFFAIRS

Work item 13: Public workshop on the LAC TSO/DSO unbundling report Description: Public workshop on the LACEER legal experts will organise a public workshop with participation of external stakeholders to present the results of the latest unbundling report. The focus of this public workshop will be on the most recent developments in the unbundling practice and unbundling related novelties introduced in the most recent legislative acts (e.g. Gas Package). TSO/DSO unbundling report Do you have any specific comment on this individual work item?

MARKET INTEGRITY AND TRANSPARENCY

Work item 14: Financial Regulation and the links to REMIT Description: Gas and electricity markets have their own dedicated regulation to address market abuse and transparency – the REMIT. Recently, there have been some attempts to revise the existing legislation in a restrictive way and replace energy regulators with financial regulators in supervisory tasks for the concerned products. CEER has publicly stated that this would be inappropriate, inconsistent, and inefficient considering the experience gained in this field by energy regulators. NRAs must regularly coordinate with national and European financial regulatory authorities to ensure proper energy market functioning from a regulatory perspective. Moreover, the recent increases in wholesale electricity and gas prices, as well as in CO2 emission certificates, led to increased margin requirements by Clearing Houses, potentially precipitating supplier insolvencies. CEER will continue to monitor this specific situation in order to ensure proper market functioning. Do you have any specific comment on this individual work item?

REGULATORY BENCHMARKING

Work item 15: Assessment of the internal organisation of NRAs Description: CEER will examine the internal organisation of NRAs, in particular (1) how it has changed over time (possibly reflecting the focus areas/tasks of NRAs) – e.g. which departments have been formed/what transformations there have been; how NRAs internally organise participation in CEER WGs; and (2) what NRAs are doing now to be attractive employers (because expertise is our main asset) – e.g. whether there are fringe benefits, efforts to become a modern employer (e.g. internal emission reduction measures), flexible working arrangements (including for parents), education and training etc. Do you have any specific comment on this individual work item?

RECURRING/CROSS-SECTORAL

Work item 16: Regulatory Frameworks Report 2023 Description: The Regulatory Frameworks Report (RFR) is an annual report which delivers a general overview about the implemented national energy regulatory regimes, efficiency developments and an analysis of the overall determination of capital costs. This report was previously named as the Investment Conditions Report. The report is popular among stakeholders as it provides a clear overview of the national regulatory regimes for the energy sector. Market participants and other stakeholders use the RFR to identify the regulatory regime in certain countries. TSOs/DSOs can benchmark how other countries deal with the financial issues they face, which are reflected in the regulatory frameworks. NRAs tend to use the RFR to compare their own regulatory regimes to those in other countries. It can therefore be considered as a highly informative CEER report. The 2023 report will be the twelfth edition of the report. Do you have any specific comment on this individual work item?

Work item 17: TCB21 - Cost Efficiency Benchmark Description: The TSO Cost Efficiency Benchmark is a CEER deliverable that periodically measures the TSO cost efficiency. Such a benchmark aims to ensure that tariffs are based on efficient costs as stipulated by European law, which is an important mandate for regulators. The benchmark helps to identify the TSOs that are working efficiently and those whose work could be improved. The upcoming TSO Cost Efficiency Benchmark 2021 (TCB21) will be the sixth edition for electricity and the third for gas. The deliverable will include a consultancy to do the research and prepare the final reports. The research will likely again include several workshops for the participating NRAs and TSOs. Do you have any specific comment on this individual work item?

Survey response 8

Contact details and treatment of confidential responses

Contact details: [Organisation][[]]

CEDEC

PRIORITY AREAS

<p>1. CEER proposes that the 2023 Work Programme should focus on the six priority areas from the 2022-2025 CEER Strategy (Consumer-centric design; Sustainable and efficient infrastructure; Well-functioning markets; Energy system integration; Flexibility; Decentralised and local energy) and Significant recurring work. Whilst the areas themselves were consulted upon in the draft strategy public consultation, do you support how these areas flow into the draft 2023 Work Programme?</p>

CEDEC supports the priority areas as proposed by CEER. Although, while they reflect well the policy focus of the Green Deal, they need to take better into account the current energy crisis and deal with the consequences for consumers. Since the Clean Energy Package and the design of the Green Deal the paradigm has changed bringing back “affordability” and “security of supply” next to “sustainability” at the core of Europe’s priorities.

The concepts of “energy system integration” and “decentralised and local energy” should be seen as two sides of the same coin and need to go beyond flexibility and prosumerism. For the sake of a sustainable energy transition, at least costs for consumers and that would guarantee security of supply, options should not be excluded and should be defined locally, while the use of existing energy infrastructures should be maximised to make the most of local (energy) resources in a cost-effective way.

<p>2. Within each priority area, do you think the Work Programme focuses on the right deliverables or should some be deleted or added? [Please note that not every aspect in each of the six core areas would be addressed in a single year’s work programme.]</p>
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CEDEC supports the mentioned work items. We welcome particularly that (energy) consumers are at the core of CEER’s strategy and that consumer issues are enshrined in the draft CEER Work Programme 2023.

For a consumer-centric design it is important that CEER investigates shortcomings of the retail market for protecting consumers during the current and future energy crisis. While digitalisation, new business models and technologies enhance energy efficiency, participation of consumers to the energy market and reduction of their energy costs, the most affected by the current crisis are those that have the least means to adopt these solutions. Preventing energy poverty and vulnerability should be at the core when planning the energy transition.

When it comes to energy system integration, we welcome that CEER puts the attention to all available resources for a secure supply and acknowledges the role that renewable and low-carbon gases play in this regard. We keep stressing the importance of a whole system approach for planning, the value of reusing existing infrastructures and of local resources for a efficient and faster energy transition. It is key to keep a technology neutral approach that would support the development of all renewable energy, including gases (as their potential varies according to the specific local situation). We regret that this concept, as addressed in the Commission Strategy on Energy System Integration, has not been properly translated in the “Fit for 55” and “Hydrogen and Gas Decarbonisation” legislative packages.

As CEER is surely aware, the EU DSO Entity is now up and running since June 2021. We are confident that CEER will take into consideration the important role of this new entity for the network code development process in domains with distribution interest. As we are convinced of the added value of an integrated systems approach (as is also the reality in most of our member companies), we welcome the Commission proposal that the EU DSO Entity should also cover gas distribution issues and would welcome the inclusion of DSOs operating hydrogen. As CEER definitely is not only addressing electricity distribution grid issues, CEDEC – representing local energy companies with activities along the whole value chain in electricity, gas and district heating – remains available for sharing its visions on an all elements of an integrated energy system approach.

QUESTIONS ON INDIVIDUAL WORK ITEMS

<p>In total, there are 17 work items proposed in the draft CEER 2023 Work Programme divided into several areas: Customers and retail markets, Distribution systems, Electricity, Gas, International Relations, Legal Affairs, Market Integrity, Regulatory Benchmarking and Recurring/Cross-sectoral. Do you have any specific comments on the individual work items? Please note that you do not have to provide comments on all proposed items.</p>

CUSTOMERS AND RETAIL MARKETS

Work item 1: ACER-CEER Energy Retail Markets and Consumer Protection Report Description: This annual ACER-CEER Market Monitoring Report aims to monitor consumer empowerment and retail markets developments across Europe. CEER will cooperate with ACER to deliver a comprehensive monitoring report to the European Parliament, investigating progress on the national implementation of European legislation focusing on consumer protection and empowerment, as well as the consumer experience in European energy markets. The report will include detailed insights on retail market developments, such as prices, price regulation measures and market structures, as well as relevant and new consumer issues such as energy poverty and active energy consumption. The primary data source for the report consists of the CEER national indicators and respective surveys. Beyond presenting the key results of our assessment of the functioning of the Internal Energy Market (IEM) in 2022, the MMR also contains recommendations on how to address the remaining identified barriers to the completion of the IEM. Do you have any specific comment on this individual work item?

ACER-CEER's annual market monitoring report is a welcomed tool that provides useful insights into retail market developments at European level. In particular, we welcome the focus on new consumer issues, such as energy poverty. We would like to highlight that, when monitoring different dimensions of empowerment and protection mechanisms, it is also important to determine the extent to which market functioning and market developments are "inclusive" – i.e. benefits to all consumers (including vulnerable customers) – or benefits to specific customer segments only.

Work item 2: Report on consumer empowerment and protection during and after crisis (scenarios) Description: In light of the recent crisis scenarios in the energy sector, this deliverable will focus on the immediate and long-term effects on consumers and energy retail markets. The report aims to identify measures and strategies to protect consumers during crisis scenarios, discuss options and lessons learnt, and evaluate measures to facilitate the evolution of retail markets and consumer protection. Drawing from previous CEER work on crisis management and consequences, such as the workshops on "Game Changing Crisis" (How current developments may change consumer behaviour in the future. Loosing trust and relaunching consumer activity), the report should also amend the European Commission's Communication on Tackling rising energy prices: a toolbox for action and support. The document will reflect on the advantages and disadvantages of different crisis management instruments and identify regulatory measures to (re)build consumer trust in a liberalised energy market. Do you have any specific comment on this individual work item?

CEDEC highly welcomes this initiative. We think it will be important in this regard to evaluate the impact of the Commission legislative proposals such as "Fit for 55" and "Hydrogen and gas decarbonisation" package, currently under scrutiny in the Parliament and the Council.

Work item 3: Review of the metrics in CEER's 2017 Handbook for National Energy Regulators in light of the CEP implementation Description: CEER acknowledges the fact that the 2017 Handbook for National Energy Regulators and its metrics are dynamic by nature since legislation evolves as well as national circumstances. This means that CEER will look into reviewing the metrics periodically and propose updates or changes to the metrics and/or definitions when necessary. In particular, CEER will verify whether the metrics have to be adjusted or complemented with additional metrics considering that most of the acts under the Clean Energy for All Europeans Package (CEP) will have entered into force by 1 January 2021. Do you have any specific comment on this individual work item?

Work item 4: Self-Assessment Status Report 2023 for the Roadmap to Well-Functioning Retail Markets Description: This fifth Status Report continues to implement the framework developed by CEER in its 2016 "Roadmap to well-functioning retail energy markets in Europe". This framework aims to deliver reliable, affordable, and simple-to-use services to ensure the protection and empowerment of consumers by 2025. The self-assessment process can be described as a journey that starts with data collection, a reflection, and a gap analysis, leading to national recommendations and the monitoring of their implementation. The CEER Roadmap to well-functioning retail energy markets in Europe is part of CEER's pledge to realise the core principles of the CEER-BEUC 2020 Vision and the objectives set out in ACER's Bridge to 2025: Conclusions Paper Do you have any specific comment on this individual work item?

DISTRIBUTION SYSTEMS

Work item 5: CEER Cybersecurity Report on Europe's Electricity and Gas Sectors Description: Mapping the state of play of respecting cybersecurity in electricity and gas sectors Do you have any specific comment on this individual work item?

CEDEC welcomes this initiative and the intention to treat both electricity and gas sector in an integrated way.

ELECTRICITY

Work item 6: High Market Prices Report Description: Energy commodity prices have reached unprecedented high levels across Europe. While various factors have contributed to the high energy prices in Europe, the main driver is the surge in the price of natural gas. RES WS will continue to engage with stakeholders and NRAs to display the reasons and state of play of the high market prices across Europe. Do you have any specific comment on this individual work item?

Work item 7: RES Support Systems Report Description: The report is aimed to map the current approach to foster renewable energy deployment as defined by the Renewable Energy Directive 2018/2001/EU (RED II) in the EU. This report is prepared every two years. Do you have any specific comment on this individual work item?

GAS

Work item 8: Accompanying the Hydrogen and Gas Market Decarbonisation Package along the legislative process Description: CEER will continue to accompany the Hydrogen and Decarbonised Gas Market Package's legislative process and react jointly to proposals introduced by the European institutions. Building on the work done in 2022, a Fast Response Team will continue to assess CEER's position on the legislative proposals. Depending on legislative developments, it will flexibly implement several different work items. Such flexible work items could include drafting position papers, proposals for legislative amendments and briefing packs or organising CEER discussions, webinars or workshops with various external stakeholders. Do you have any specific comment on this individual work item?

CEDEC would like to stress the important role that gas distribution system operators have in the decarbonisation of the gas sector, as they connect a large majority of residential, industrial and commercial gas customers around Europe. For this role to be duly taken into account in the Hydrogen and Decarbonised Gas Market package, it is crucial that gas DSOs are involved in the related discussions.

Work item 9: Regulators' reflections on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market, including any impacts on the functioning and design of entry-exit systems Description: Regulators' reflections on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market, including any impacts Building on their work in 2022, CEER will continue to reflect on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market. This is a particularly hot topic in light of the Hydrogen and Gas Market Decarbonisation Package and will need further reflection from regulators in 2023. The paper will aim to clarify the scope entry-exit systems for decarbonised gases to avoid misinterpretations and over-regulation of the distribution level. Moreover, NRAs will aim to ensure the participation of local producers in the wholesale market via alternative solutions to full integration of transmission and distribution levels. This work item will be conducted with a certain flexibility regarding the ongoing legislative process in the European institutions and to the activities done under the Hydrogen and Decarbonised Gas Markets Package work item. Do you have any specific comment on this individual work item?

CEDEC highly welcomes this initiative.

In particular, we believe that clarifying the scope of the entry-exit systems is necessary especially for the implementation of tariffs discount for renewable and low carbon gases. In this regard, CEDEC supports a 100% discount as it would support the injection of renewable and low-carbon gases into the distribution grid and therefore be in line with the objectives of the REpowerEU of decarbonisation and diversification of gas supplies.

Work item 10: Targeted recommendations on storage regulation to support security of supply Description: CEER proposes to continue working on the topic of gas storage and to develop regulators' recommendations on newly proposed legislation on security of supply and decarbonisation. CEER will continue to engage with different stakeholders to discuss regulators' proposals on energy storage more broadly. The aim is to receive feedback from infrastructure operators and market players on the need for regulation. Do you have any specific comment on this individual work item?

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INTERNATIONAL RELATIONS

Work item 12: CEER Strategy Document for International Activities Description: CEER Strategy Document fCEER will develop a new strategic document for its international activities. It will update the previous strategy for international activities from 2013 where possible and will develop new priorities and activities where necessary. During this update of CEER's strategy for international activities, the European Commission's new international energy strategy will also be taken into account and its priorities will be aligned. The document will set out CEER's strategy for its international cooperation efforts with fellow regulators and regional regulatory associations worldwide. It will focus on the main objectives of our international dialogue and illustrate some of the activities CEER is engaged in that contribute to these goals.or International Activities Do you have any specific comment on this individual work item?

LEGAL AFFAIRS

Work item 13: Public workshop on the LAC TSO/DSO unbundling report Description: Public workshop on the LACEER legal experts will organise a public workshop with participation of external stakeholders to present the results of the latest unbundling report. The focus of this public workshop will be on the most recent developments in the unbundling practice and unbundling related novelties introduced in the most recent legislative acts (e.g. Gas Package). TSO/DSO unbundling report Do you have any specific comment on this individual work item?

CEDEC welcomes this initiative.

We believe that the Commission proposal on unbundling rules in the Gas Package is particularly critical and therefore needs careful assessment. In light of the current energy crisis – the Repower EU and climate objectives – it is key that predefined and too strict unbundling rules do not hinder the development of a hydrogen ecosystem; they should rather support the creation of an integrated hydrogen system that exploits synergies with existing infrastructures. This is particularly relevant if horizontal legal unbundling is - unnecessarily - introduced as proposed by the Commission in the Article 63 of the Gas Directive.

For what concerns vertical unbundling, we think that unbundling rules for hydrogen network operators at distribution level need to be different from those for hydrogen networks operator at transmission level. They should be identical to those today foreseen for gas distribution system operators, as they never were the subject of any negative evaluation.

MARKET INTEGRITY AND TRANSPARENCY

Work item 14: Financial Regulation and the links to REMIT Description: Gas and electricity markets have their own dedicated regulation to address market abuse and transparency – the REMIT. Recently, there have been some attempts to revise the existing legislation in a restrictive way and replace energy regulators with financial regulators in supervisory tasks for the concerned products. CEER has publicly stated that this would be inappropriate, inconsistent, and inefficient considering the experience gained in this field by energy regulators. NRAs must regularly coordinate with national and European financial regulatory authorities to ensure proper energy market functioning from a regulatory perspective. Moreover, the recent increases in wholesale electricity and gas prices, as well as in CO2 emission certificates, led to increased margin requirements by Clearing Houses, potentially precipitating supplier insolvencies. CEER will continue to monitor this specific situation in order to ensure proper market functioning. Do you have any specific comment on this individual work item?

REGULATORY BENCHMARKING

Work item 15: Assessment of the internal organisation of NRAs Description: CEER will examine the internal organisation of NRAs, in particular (1) how it has changed over time (possibly reflecting the focus areas/tasks of NRAs) – e.g. which departments have been formed/what transformations there have been; how NRAs internally organise participation in CEER WGs; and (2) what NRAs are doing now to be attractive employers (because expertise is our main asset) – e.g. whether there are fringe benefits, efforts to become a modern employer (e.g. internal emission reduction measures), flexible working arrangements (including for parents), education and training etc. Do you have any specific comment on this individual work item?

RECURRING/CROSS-SECTORAL

Work item 16: Regulatory Frameworks Report 2023 Description: The Regulatory Frameworks Report (RFR) is an annual report which delivers a general overview about the implemented national energy regulatory regimes, efficiency developments and an analysis of the overall determination of capital costs. This report was previously named as the Investment Conditions Report. The report is popular among stakeholders as it provides a clear overview of the national regulatory regimes for the energy sector. Market participants and other stakeholders use the RFR to identify the regulatory regime in certain countries. TSOs/DSOs can benchmark how other countries deal with the financial issues they face, which are reflected in the regulatory frameworks. NRAs tend to use the RFR to compare their own regulatory regimes to those in other countries. It can therefore be considered as a highly informative CEER report. The 2023 report will be the twelfth edition of the report. Do you have any specific comment on this individual work item?

Work item 17: TCB21 - Cost Efficiency Benchmark Description: The TSO Cost Efficiency Benchmark is a CEER deliverable that periodically measures the TSO cost efficiency. Such a benchmark aims to ensure that tariffs are based on efficient costs as stipulated by European law, which is an important mandate for regulators. The benchmark helps to identify the TSOs that are working efficiently and those whose work could be improved. The upcoming TSO Cost Efficiency Benchmark 2021 (TCB21) will be the sixth edition for electricity and the third for gas. The deliverable will include a consultancy to do the research and prepare the final reports. The research will likely again include several workshops for the participating NRAs and TSOs. Do you have any specific comment on this individual work item?

Survey response 9

Contact details and treatment of confidential responses

Contact details: [Organisation][[]]

Vizbox

PRIORITY AREAS

1. CEER proposes that the 2023 Work Programme should focus on the six priority areas from the 2022-2025 CEER Strategy (Consumer-centric design; Sustainable and efficient infrastructure; Well-functioning markets; Energy system integration; Flexibility; Decentralised and local energy) and Significant recurring work. Whilst the areas themselves were consulted upon in the draft strategy public consultation, do you support how these areas flow into the draft 2023 Work Programme?
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Yes

2. Within each priority area, do you think the Work Programme focuses on the right deliverables or should some be deleted or added? [Please note that not every aspect in each of the six core areas would be addressed in a single year's work programme.]

Energy System Integration

QUESTIONS ON INDIVIDUAL WORK ITEMS

In total, there are 17 work items proposed in the draft CEER 2023 Work Programme divided into several areas: Customers and retail markets, Distribution systems, Electricity, Gas, International Relations, Legal Affairs, Market Integrity, Regulatory Benchmarking and Recurring/Cross-sectoral. Do you have any specific comments on the individual work items? Please note that you do not have to provide comments on all proposed items.
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No

Work item 2: Report on consumer empowerment and protection during and after crisis (scenarios) Description: In light of the recent crisis scenarios in the energy sector, this deliverable will focus on the immediate and long-term effects on consumers and energy retail markets. The report aims to identify measures and strategies to protect consumers during crisis scenarios, discuss options and lessons learnt, and evaluate measures to facilitate the evolution of retail markets and consumer protection. Drawing from previous CEER work on crisis management and consequences, such as the workshops on “Game Changing Crisis” (How current developments may change consumer behaviour in the future. Loosing trust and relaunching consumer activity), the report should also amend the European Commission’s Communication on Tackling rising energy prices: a toolbox for action and support. The document will reflect on the advantages and disadvantages of different crisis management instruments and identify regulatory measures to (re)build consumer trust in a liberalised energy market. Do you have any specific comment on this individual work item?

You mean virtual crisis?

Work item 3: Review of the metrics in CEER's 2017 Handbook for National Energy Regulators in light of the CEP implementation Description: CEER acknowledges the fact that the 2017 Handbook for National Energy Regulators and its metrics are dynamic by nature since legislation evolves as well as national circumstances. This means that CEER will look into reviewing the metrics periodically and propose updates or changes to the metrics and/or definitions when necessary. In particular, CEER will verify whether the metrics have to be adjusted or complemented with additional metrics considering that most of the acts under the Clean Energy for All Europeans Package (CEP) will have entered into force by 1 January 2021. Do you have any specific comment on this individual work item?

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No

DISTRIBUTION SYSTEMS

Work item 5: CEER Cybersecurity Report on Europe's Electricity and Gas Sectors Description: Mapping the state of play of respecting cybersecurity in electricity and gas sectors Do you have any specific comment on this individual work item?

No

ELECTRICITY

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Not agree with your reason. At least not with Electricity price

Work item 7: RES Support Systems Report Description: The report is aimed to map the current approach to foster renewable energy deployment as defined by the Renewable Energy Directive 2018/2001/EU (RED II) in the EU. This report is prepared every two years. Do you have any specific comment on this individual work item?

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GAS

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No

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No

Work item 11: The influence of new EU LNG terminals on the future European energy market Description: For this work item, CEER will analyse the new EU LNG projects planned for the coming years. These new projects are in many cases arising from the need to reinforce security of supply for European consumers in the current energy context, which is impacted by the Russian war in Ukraine, the capacity allocation mechanisms as well as access conditions and their influence on the European Energy Market. The Position Paper could also analyse the newly available information on gas prices and put them in context with other recent developments in European LNG terminals in 2022 and 2023. Do you have any specific comment on this individual work item?

No

INTERNATIONAL RELATIONS

Work item 12: CEER Strategy Document for International Activities Description: CEER Strategy Document fCEER will develop a new strategic document for its international activities. It will update the previous strategy for international activities from 2013 where possible and will develop new priorities and activities where necessary. During this update of CEER's strategy for international activities, the European Commission's new international energy strategy will also be taken into account and its priorities will be aligned. The document will set out CEER's strategy for its international cooperation efforts with fellow regulators and regional regulatory associations worldwide. It will focus on the main objectives of our international dialogue and illustrate some of the activities CEER is engaged in that contribute to these goals.or International Activities Do you have any specific comment on this individual work item?

No

LEGAL AFFAIRS

Work item 13: Public workshop on the LAC TSO/DSO unbundling report Description: Public workshop on the LACEER legal experts will organise a public workshop with participation of external stakeholders to present the results of the latest unbundling report. The focus of this public workshop will be on the most recent developments in the unbundling practice and unbundling related novelties introduced in the most recent legislative acts (e.g. Gas Package). TSO/DSO unbundling report Do you have any specific comment on this individual work item?

No

MARKET INTEGRITY AND TRANSPARENCY

Work item 14: Financial Regulation and the links to REMIT Description: Gas and electricity markets have their own dedicated regulation to address market abuse and transparency – the REMIT. Recently, there have been some attempts to revise the existing legislation in a restrictive way and replace energy regulators with financial regulators in supervisory tasks for the concerned products. CEER has publicly stated that this would be inappropriate, inconsistent, and inefficient considering the experience gained in this field by energy regulators. NRAs must regularly coordinate with national and European financial regulatory authorities to ensure proper energy market functioning from a regulatory perspective. Moreover, the recent increases in wholesale electricity and gas prices, as well as in CO2 emission certificates, led to increased margin requirements by Clearing Houses, potentially precipitating supplier insolvencies. CEER will continue to monitor this specific situation in order to ensure proper market functioning. Do you have any specific comment on this individual work item?

No

REGULATORY BENCHMARKING

Work item 15: Assessment of the internal organisation of NRAs Description: CEER will examine the internal organisation of NRAs, in particular (1) how it has changed over time (possibly reflecting the focus areas/tasks of NRAs) – e.g. which departments have been formed/what transformations there have been; how NRAs internally organise participation in CEER WGs; and (2) what NRAs are doing now to be attractive employers (because expertise is our main asset) – e.g. whether there are fringe benefits, efforts to become a modern employer (e.g. internal emission reduction measures), flexible working arrangements (including for parents), education and training etc. Do you have any specific comment on this individual work item?

No

RECURRING/CROSS-SECTORAL

Work item 16: Regulatory Frameworks Report 2023 Description: The Regulatory Frameworks Report (RFR) is an annual report which delivers a general overview about the implemented national energy regulatory regimes, efficiency developments and an analysis of the overall determination of capital costs. This report was previously named as the Investment Conditions Report. The report is popular among stakeholders as it provides a clear overview of the national regulatory regimes for the energy sector. Market participants and other stakeholders use the RFR to identify the regulatory regime in certain countries. TSOs/DSOs can benchmark how other countries deal with the financial issues they face, which are reflected in the regulatory frameworks. NRAs tend to use the RFR to compare their own regulatory regimes to those in other countries. It can therefore be considered as a highly informative CEER report. The 2023 report will be the twelfth edition of the report. Do you have any specific comment on this individual work item?

No

Work item 17: TCB21 - Cost Efficiency Benchmark Description: The TSO Cost Efficiency Benchmark is a CEER deliverable that periodically measures the TSO cost efficiency. Such a benchmark aims to ensure that tariffs are based on efficient costs as stipulated by European law, which is an important mandate for regulators. The benchmark helps to identify the TSOs that are working efficiently and those whose work could be improved. The upcoming TSO Cost Efficiency Benchmark 2021 (TCB21) will be the sixth edition for electricity and the third for gas. The deliverable will include a consultancy to do the research and prepare the final reports. The research will likely again include several workshops for the participating NRAs and TSOs. Do you have any specific comment on this individual work item?

No

Survey response 10

Contact details and treatment of confidential responses

Contact details: [Organisation][[]]

Enedis

PRIORITY AREAS

<p>1. CEER proposes that the 2023 Work Programme should focus on the six priority areas from the 2022-2025 CEER Strategy (Consumer-centric design; Sustainable and efficient infrastructure; Well-functioning markets; Energy system integration; Flexibility; Decentralised and local energy) and Significant recurring work. Whilst the areas themselves were consulted upon in the draft strategy public consultation, do you support how these areas flow into the draft 2023 Work Programme?</p>

In line with the former 2022 WP, Enedis keeps welcoming the six priority areas that have been identified by CEER as most of them relate to electricity DSOs' activities and involvement: Consumer centric-design, Sustainable and efficient infrastructures, Energy system integration, Flexibility and Decentralised and local energy.

However, on the short description of the above mentioned priority areas, references to DSOs are lacking except for the "flexibility" priority area.

Additionally some priority areas' topics are not entirely reflected through the work programme: flexibility, infrastructure sustainability and decentralised and local energy. It could be valuable for stakeholders to have some individual items covering these key topics that are very challenging for the energy sector.

<p>2. Within each priority area, do you think the Work Programme focuses on the right deliverables or should some be deleted or added? [Please note that not every aspect in each of the six core areas would be addressed in a single year's work programme.]</p>
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Enedis fully understands that a large part of the individual items of the work programme will be dedicated to market design and customers protection. This topic is strongly relevant considering the increase of energy prices and the upcoming challenges that arise this winter on energy supply. In addition, those work items are fully aligned with CEER's customer centric approach.

However, the company would like to stress out the lack of electricity (2) and DSO's items (1) addressed over the work programme compared to work items that are dedicated to gas issues (4). In order to fully comply with the Commission's approach to promote electrification first and then use gas as an energy transition in hard-to-abate sectors, electricity topics (especially REPowerEU) should be proportionately addressed. As proposed by Enedis last year, one deliverable can be added to address the "sustainable and efficient infrastructures" topic: an updated benchmark of SAIDI (System Average Interruption Duration Index) evolution between DSOs to be published on a yearly basis.

QUESTIONS ON INDIVIDUAL WORK ITEMS

<p>In total, there are 17 work items proposed in the draft CEER 2023 Work Programme divided into several areas: Customers and retail markets, Distribution systems, Electricity, Gas, International Relations, Legal Affairs, Market Integrity, Regulatory Benchmarking and Recurring/Cross-sectoral. Do you have any specific comments on the individual work items? Please note that you do not have to provide comments on all proposed items.</p>

CUSTOMERS AND RETAIL MARKETS

Work item 1: ACER-CEER Energy Retail Markets and Consumer Protection Report Description: This annual ACER-CEER Market Monitoring Report aims to monitor consumer empowerment and retail markets developments across Europe. CEER will cooperate with ACER to deliver a comprehensive monitoring report to the European Parliament, investigating progress on the national implementation of European legislation focusing on consumer protection and empowerment, as well as the consumer experience in European energy markets. The report will include detailed insights on retail market developments, such as prices, price regulation measures and market structures, as well as relevant and new consumer issues such as energy poverty and active energy consumption. The primary data source for the report consists of the CEER national indicators and respective surveys. Beyond presenting the key results of our assessment of the functioning of the Internal Energy Market (IEM) in 2022, the MMR also contains recommendations on how to address the remaining identified barriers to the completion of the IEM. Do you have any specific comment on this individual work item?

Work item 2: Report on consumer empowerment and protection during and after crisis (scenarios) Description: In light of the recent crisis scenarios in the energy sector, this deliverable will focus on the immediate and long-term effects on consumers and energy retail markets. The report aims to identify measures and strategies to protect consumers during crisis scenarios, discuss options and lessons learnt, and evaluate measures to facilitate the evolution of retail markets and consumer protection. Drawing from previous CEER work on crisis management and consequences, such as the workshops on “Game Changing Crisis” (How current developments may change consumer behaviour in the future. Loosing trust and relaunching consumer activity), the report should also amend the European Commission’s Communication on Tackling rising energy prices: a toolbox for action and support. The document will reflect on the advantages and disadvantages of different crisis management instruments and identify regulatory measures to (re)build consumer trust in a liberalised energy market. Do you have any specific comment on this individual work item?

Enedis warmly welcomes the CEER’s report regarding consumer empowerment and protection during the crisis that Europe is currently facing.

As a DSO, Enedis is actively contributing to consumer empowerment, in particular through the deployment of smart meters. As they provide precise and close to real time measurements of final customers’ energy use, smart meters are a precious tool for consumers to better manage their consumption and thus lower their energy bills. Moreover, smart metering enables suppliers to develop new offers, allowing consumers to adapt their consumption to different energy prices throughout the day (peak/off-peak electricity offers...) and therefore to save money.

In light of this, the report should consider the key role of smart meters in assisting consumers in the management of their energy consumption.

Work item 3: Review of the metrics in CEER's 2017 Handbook for National Energy Regulators in light of the CEP implementation Description: CEER acknowledges the fact that the 2017 Handbook for National Energy Regulators and its metrics are dynamic by nature since legislation evolves as well as national circumstances. This means that CEER will look into reviewing the metrics periodically and propose updates or changes to the metrics and/or definitions when necessary. In particular, CEER will verify whether the metrics have to be adjusted or complemented with additional metrics considering that most of the acts under the Clean Energy for All Europeans Package (CEP) will have entered into force by 1 January 2021. Do you have any specific comment on this individual work item?

Work item 4: Self-Assessment Status Report 2023 for the Roadmap to Well-Functioning Retail Markets Description: This fifth Status Report continues to implement the framework developed by CEER in its 2016 "Roadmap to well-functioning retail energy markets in Europe". This framework aims to deliver reliable, affordable, and simple-to-use services to ensure the protection and empowerment of consumers by 2025. The self-assessment process can be described as a journey that starts with data collection, a reflection, and a gap analysis, leading to national recommendations and the monitoring of their implementation. The CEER Roadmap to well-functioning retail energy markets in Europe is part of CEER's pledge to realise the core principles of the CEER-BEUC 2020 Vision and the objectives set out in ACER's Bridge to 2025: Conclusions Paper Do you have any specific comment on this individual work item?

DISTRIBUTION SYSTEMS

Work item 5: CEER Cybersecurity Report on Europe’s Electricity and Gas Sectors Description: Mapping the state of play of respecting cybersecurity in electricity and gas sectors Do you have any specific comment on this individual work item?

Enedis warmly welcomes the ongoing work of CEER on cybersecurity issues and would like to remind that DSOs are identified as “essential entities” in the final version of NIS 2 Directive. It acknowledges the key role of DSOs in the energy system and the need to ensure a more proportionate and accurate level of Cybersecurity in Europe. However, it is not clear if the mapping report will only concern DSOs or the whole electricity system stakeholders, which also have to implement cybersecurity measures in their respective activities (TSOs, generation, EV charging operators...). In addition, this report can be enlightened by the Cybersecurity Network Code on cross-borders flow of electricity that has recently been submitted by ACER to the European Commission.

ELECTRICITY

Work item 6: High Market Prices Report Description: Energy commodity prices have reached unprecedented high levels across Europe. While various factors have contributed to the high energy prices in Europe, the main driver is the surge in the price of natural gas. RES WS will continue to engage with stakeholders and NRAs to display the reasons and state of play of the high market prices across Europe. Do you have any specific comment on this individual work item?

Work item 7: RES Support Systems Report Description: The report is aimed to map the current approach to foster renewable energy deployment as defined by the Renewable Energy Directive 2018/2001/EU (RED II) in the EU. This report is prepared every two years. Do you have any specific comment on this individual work item?

Enedis strongly supports the RES Support systems report as it enables the sharing of information and good practises to foster the implementation of Renewable energy sources in Europe. The report could take into consideration ongoing legislative proposals on permitting procedures (REPowerEU and RED IV proposal). In view of the new challenges relating to fast-forwarded permitting procedures, integration of more renewables and electrification of end-uses sectors, this report should take into account the role of the grid operators especially connecting the charging stations.

GAS

Work item 8: Accompanying the Hydrogen and Gas Market Decarbonisation Package along the legislative process Description: CEER will continue to accompany the Hydrogen and Decarbonised Gas Market Package's legislative process and react jointly to proposals introduced by the European institutions. Building on the work done in 2022, a Fast Response Team will continue to assess CEER's position on the legislative proposals. Depending on legislative developments, it will flexibly implement several different work items. Such flexible work items could include drafting position papers, proposals for legislative amendments and briefing packs or organising CEER discussions, webinars or workshops with various external stakeholders. Do you have any specific comment on this individual work item?

Enedis takes dully note of the advocacy work of CEER on the Gas market and decarbonisation package along the legislative process. A similar initiative regarding the legislative proposals introduced by REPowerEU would be needed. Regulators' inputs would be valuable, especially on this upcoming fast-track legislative process.

Work item 9: Regulators' reflections on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market, including any impacts on the functioning and design of entry-exit systems Description: Regulators' reflections on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market, including any impacts Building on their work in 2022, CEER will continue to reflect on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market. This is a particularly hot topic in light of the Hydrogen and Gas Market Decarbonisation Package and will need further reflection from regulators in 2023. The paper will aim to clarify the scope entry-exit systems for decarbonised gases to avoid misinterpretations and over-regulation of the distribution level. Moreover, NRAs will aim to ensure the participation of local producers in the wholesale market via alternative solutions to full integration of transmission and distribution levels. This work item will be conducted with a certain flexibility regarding the ongoing legislative process in the European institutions and to the activities done under the Hydrogen and Decarbonised Gas Markets Package work item.on the functioning and design of entry-exit systems Do you have any specific comment on this individual work item?

Work item 10: Targeted recommendations on storage regulation to support security of supply Description: CEER proposes to continue working on the topic of gas storage and to develop regulators' recommendations on newly proposed legislation on security of supply and decarbonisation. CEER will continue to engage with different stakeholders to discuss regulators' proposals on energy storage more broadly. The aim is to receive feedback from infrastructure operators and market players on the need for regulation. Do you have any specific comment on this individual work item?

Work item 11: The influence of new EU LNG terminals on the future European energy market Description: For this work item, CEER will analyse the new EU LNG projects planned for the coming years. These new projects are in many cases arising from the need to reinforce security of supply for European consumers in the current energy context, which is impacted by the Russian war in Ukraine, the capacity allocation mechanisms as well as access conditions and their influence on the European Energy Market. The Position Paper could also analyse the newly available information on gas prices and put them in context with other recent developments in European LNG terminals in 2022 and 2023. Do you have any specific comment on this individual work item?

INTERNATIONAL RELATIONS

Work item 12: CEER Strategy Document for International Activities Description: CEER Strategy Document fCEER will develop a new strategic document for its international activities. It will update the previous strategy for international activities from 2013 where possible and will develop new priorities and activities where necessary. During this update of CEER's strategy for international activities, the European Commission's new international energy strategy will also be taken into account and its priorities will be aligned. The document will set out CEER's strategy for its international cooperation efforts with fellow regulators and regional regulatory associations worldwide. It will focus on the main objectives of our international dialogue and illustrate some of the activities CEER is engaged in that contribute to these goals.or International Activities Do you have any specific comment on this individual work item?

LEGAL AFFAIRS

Work item 13: Public workshop on the LAC TSO/DSO unbundling report Description: Public workshop on the LACEER legal experts will organise a public workshop with participation of external stakeholders to present the results of the latest unbundling report. The focus of this public workshop will be on the most recent developments in the unbundling practice and unbundling related novelties introduced in the most recent legislative acts (e.g. Gas Package). TSO/DSO unbundling report Do you have any specific comment on this individual work item?

MARKET INTEGRITY AND TRANSPARENCY

Work item 14: Financial Regulation and the links to REMIT Description: Gas and electricity markets have their own dedicated regulation to address market abuse and transparency – the REMIT. Recently, there have been some attempts to revise the existing legislation in a restrictive way and replace energy regulators with financial regulators in supervisory tasks for the concerned products. CEER has publicly stated that this would be inappropriate, inconsistent, and inefficient considering the experience gained in this field by energy regulators. NRAs must regularly coordinate with national and European financial regulatory authorities to ensure proper energy market functioning from a regulatory perspective. Moreover, the recent increases in wholesale electricity and gas prices, as well as in CO2 emission certificates, led to increased margin requirements by Clearing Houses, potentially precipitating supplier insolvencies. CEER will continue to monitor this specific situation in order to ensure proper market functioning. Do you have any specific comment on this individual work item?

REGULATORY BENCHMARKING

Work item 15: Assessment of the internal organisation of NRAs Description: CEER will examine the internal organisation of NRAs, in particular (1) how it has changed over time (possibly reflecting the focus areas/tasks of NRAs) – e.g. which departments have been formed/what transformations there have been; how NRAs internally organise participation in CEER WGs; and (2) what NRAs are doing now to be attractive employers (because expertise is our main asset) – e.g. whether there are fringe benefits, efforts to become a modern employer (e.g. internal emission reduction measures), flexible working arrangements (including for parents), education and training etc. Do you have any specific comment on this individual work item?

Enedis strongly supports the writing of such an assessment, as it is important for a DSO to have a better understanding of its national and other Member States regulation agencies' internal organisation and of how it has evolved over time. As Enedis is working closely with its NRA, it could be useful to better understand its past structural changes and be a good insight for future evolutions to come.

RECURRING/CROSS-SECTORAL

Work item 16: Regulatory Frameworks Report 2023 Description: The Regulatory Frameworks Report (RFR) is an annual report which delivers a general overview about the implemented national energy regulatory regimes, efficiency developments and an analysis of the overall determination of capital costs. This report was previously named as the Investment Conditions Report. The report is popular among stakeholders as it provides a clear overview of the national regulatory regimes for the energy sector. Market participants and other stakeholders use the RFR to identify the regulatory regime in certain countries. TSOs/DSOs can benchmark how other countries deal with the financial issues they face, which are reflected in the regulatory frameworks. NRAs tend to use the RFR to compare their own regulatory regimes to those in other countries. It can therefore be considered as a highly informative CEER report. The 2023 report will be the twelfth edition of the report. Do you have any specific comment on this individual work item?

Enedis warmly welcomes the Regulatory Frameworks Report 2023. This report should highlight the importance of energy infrastructures in the context of massive electrification and REPower EU targets and give a better overview of regulatory work across Europe.

Work item 17: TCB21 - Cost Efficiency Benchmark Description: The TSO Cost Efficiency Benchmark is a CEER deliverable that periodically measures the TSO cost efficiency. Such a benchmark aims to ensure that tariffs are based on efficient costs as stipulated by European law, which is an important mandate for regulators. The benchmark helps to identify the TSOs that are working efficiently and those whose work could be improved. The upcoming TSO Cost Efficiency Benchmark 2021 (TCB21) will be the sixth edition for electricity and the third for gas. The deliverable will include a consultancy to do the research and prepare the final reports. The research will likely again include several workshops for the participating NRAs and TSOs. Do you have any specific comment on this individual work item?

Survey response 11

Contact details and treatment of confidential responses

Contact details: [Organisation][<input type="checkbox"/>

Eurelectric

PRIORITY AREAS

1. CEER proposes that the 2023 Work Programme should focus on the six priority areas from the 2022-2025 CEER Strategy (Consumer-centric design; Sustainable and efficient infrastructure; Well-functioning markets; Energy system integration; Flexibility; Decentralised and local energy) and Significant recurring work. Whilst the areas themselves were consulted upon in the draft strategy public consultation, do you support how these areas flow into the draft 2023 Work Programme?

Eurelectric welcomes the six priority areas and how they flow into the draft 2023 WP. The framework is timely and will allow CEER to properly address the both the short- and long-term challenges currently facing the energy sector.

However, it seems that references to DSOs are lacking except for the flexibility priority areas while other identified topics also deal with DSO activities including decentralized and local energy, energy sector integration, and sustainable and efficient infrastructures. Additionally, some priority areas' topics are not entirely reflected throughout the work programme, specifically with flexibility, sustainable and efficient infrastructure, and decentralized and local energy. It would be very valuable for stakeholders to have some individual items covering these key topics which are challenging to the energy sector.

Consumer-centric design

Before commenting on this priority area, we would like to point out that this concept of consumer-centric design is already in the literature with a proposal from Belgian TSO Elia (more information on this here: <https://www.eliagroup.eu/en/ccmd>). To avoid confusion with this proposal, we would recommend changing this title to "Consumer Empowerment" or "Consumer Engagement."

Enabling consumers to participate more fully in the energy transition is a key part of the work of Eurelectric (most recently with our Power2People survey identifying key barriers to the uptake of electric solutions and policy recommendations on how to overcome these barriers, more information available here: <https://www.eurelectric.org/power2people>), so we welcome CEER's plan to focus their work around ensuring green transition policies help consumers reduce their carbon footprint and improve energy efficiency whilst also enabling the uptake of new technologies. A more consumer empowerment-centred approach will rely largely on digital platforms and services which shape the entire customer experience. We feel this framework will set the path for achieving CEER's stated goal of contributing to decarbonization at the lowest cost and help the system cope with more electrification and the addition of more renewable sources of electricity.

We recommend when investigating energy crisis measures, exacerbated by the current war in Ukraine, that lessons learned should be considered in how to evolve the retail market to protect households and industrial customers, where needed. This could be achieved by incorporating a cost benefit analysis and / or an analysis of the impact of these measures on decarbonisation, namely through electrification.

In particular, a clear distinction should be made between short-term wholesale market prices (which are required a.o. to ensure an efficient dispatch of capacities across Europe) and consumers' prices (which could/should be reflecting some sourcing and hedging strategies in order to get prices adapted to the consumers' risk profile and capacity / willingness to react to price signals).

The Clean Energy Package was devised to facilitate the integration of renewable generation into the existing electricity markets and to further protect the consumers. Although an important element is to identify the gaps in the EC provisions (e.g. for enabling market players to deliver the investments needed via sound market signals, for implementing provisions already agreed upon, etc.), one should also pay a clear attention to the gaps between the existing provisions at EU level and their implementations at Member States level (e.g. shortcomings in local decisions, namely regarding demand side response).

Energy System Integration

Eurelectric supports the focus of this workstream on the development of new technologies and the further integration of existing resources (like DER, such as storage or heat pumps) into a more optimized energy system.

In particular, it is key that CEER pursues its work carried out in 2022 on the EC hydrogen and decarbonization gas market package, considering the expected next steps on the fine-tuning and finalization of the legislative provisions of that package. Stakeholders' involvement will be required until process completion to ensure the regulatory framework will fit for purpose for both energy system integration and scaling-up of the future EU hydrogen market.

We would like to highlight that digital solutions are extremely relevant for the development of the electricity system as a whole and to boost consumer empowerment by granting them access to information and tools to manage their demand patterns according to internal and external inputs. The digitalisation of the energy sector is increasing, which will bring great changes that offer several opportunities for consumers. However, these changes will also present challenges which have been faced in other sectors, including privacy issues, data protection and access, and cybersecurity. In order to efficiently manage these challenges, it is imperative that the regulatory dimension be reinforced.

Distribution system operators are key enablers of this integration, as the distribution network is the place of connecting and integrating into the system new RES capacity on an unprecedented scale – integrating electrical heating, EV charging, solar PV panels and wind turbines; equipping network users with smart meters and systems and access to data (including relevant market third-parties), and designing smart grids; thus enabling the development of new services and products, which will mostly be data driven and with more up-to-date information. The main tool for energy system integration at local and regional level is smart grids.

When considering hydrogen, we believe the primary focus should be on its end uses (hard to electrify industrial uses, maritime transport, and in aviation), considering the current status and foreseeable developments of hydrogen production and demand patterns. We consider it should be carefully compared against other decarbonisation options (like direct electrification) and chosen only when it represents the most economically efficient and sustainable alternative, from a system point of view. If large quantities of hydrogen would need to be distributed via transport infrastructures in order to accommodate it, priority should be given to repurpose and reuse the existing gas infrastructure, where technically feasible and cost effective. Development of hydrogen networks, to be framed via the upcoming EU decarbonization package, should be developed only when such a network starts to unfold and has reached a certain scale, in terms of feed-in points, customers, and volumes.

We would also like to highlight that we consider e-Mobility (charging) as a key component, and we think it should be mapped within the core areas. Electric Vehicles are both mobile loads and mobile energy storage units: they can provide flexibility locally and to the electricity system in both capacities. Even though their primary function is to serve mobility needs, an integrated perspective on the interaction between transport and energy sectors is required to drive the decarbonisation of the former, to optimise energy system efficiency, to leverage their contributions to the decarbonisation of the power system, and to empower consumers.

Sustainable and Efficient Infrastructure

Eurelectric agrees with the assertions made by CEER that an effective regulatory framework at EU-level is needed to ensure a level playing field for new solutions and removing barriers to entry. More specifically we recommend:

- Any proposed sustainability initiatives should be done with a life-cycle approach including the entire value chain and promote circularity in the infrastructure's design.
- Proposed sustainability initiatives should not threaten the lifetime of assets in use or lead to supply-chain issues. This risk delaying renewable energy connections and jeopardizing the realization of the Green Deal's objectives.
- Measures promoting sustainability should not increase the pressure on raw materials needed to manufacture network assets, such as steel and copper. To make the most efficient use of these resources, a holistic approach should be followed which coordinates the ambition of environmental, energy, and standards legislation.
- Investments which are most effective in achieving sustainability objectives should be given the highest priority and adequate incentive schemes. Moreover, in light of efficiency objectives, we recommend recognizing the strategic value from innovation and the digitalization of grids.
- A focus on the impact of digitalisation on the energy sector and its application in the unlocking of flexibility resources including demand response.

Well-Functioning Markets

We welcome CEER's recognition of the wholesale price of natural gas as the main driver for the recent price shocks in the wholesale electricity markets. As analysis continues on possible improvements to the electricity market design, we highly encourage CEER to consider the short-, medium-, and long-term implications of any recommended measures. The current electricity market was designed over the past 20 years and accordingly accommodated the newest developments. It is of utmost importance to recognize that we are in an extraordinary situation, and this singularity of this time should be considered when discussing potential interventions in the electricity market. These interventions should always be limited in time (rather than rushing into structural changes, which risk introducing harmful distortions and inefficiencies), be as non-distortive as possible, and abide by a strict set of principles. The past months have shown that scarcity pricing in the electricity markets is politically untenable, and governments tend to intervene when prices spike. Unfortunately, these measures undermine investor confidence and risk slowing the investments needed to decarbonise the energy system.

We should not abandon its benefits due to the current extraordinary situation, exacerbated by the ongoing war in Ukraine. Any short-term measures considered for implementation should be accompanied by a clear timeline for their phase-out (with clearly identified economic indicators for each phase) as the situation returns to normal. As prices are reflecting the supply-demand balances and beyond the impact of commodity prices, the availability of generation capacity and the level of demand are also key drivers for wholesale electricity prices. In the current context, this also explains the importance of promoting energy savings and energy efficiency and of improving the availability of the generation fleet.

As mentioned above, a clear distinction should be made between short-term wholesale market prices and consumers' prices in the analysis. In addition, Eurelectric also believes that well-functioning markets should provide adequate incentives and tools to deliver the investments needed.

We also welcome CEER's recognition for the need to better define the roles of new market participants who will contribute to the further competitive integration and decentralization of the energy system. We understand the framework guidelines on demand-side flexibility will be one opportunity to do so, however, ongoing implementation of the Clean Energy package in Member States

should be taken into account to avoid sunk costs and associated cost burdens on final consumers.

Flexibility

Together with CEER, Eurelectric recognizes the need for organizing electricity markets to be more flexible and fully integrate all market players in decentralized markets, and by providing a proper regulatory framework to incentivise all involved actors. In our flexibility report (available here: <https://www.eurelectric.org/events/flexibility-the-enabler-for-a-clean-energy-future-10-nov-2021/>) and our response to the EU Action Plan on the digitalisation of the energy sector (available here: https://cdn.eurelectric.org/media/5685/eurelectric_digitalisation_energy_sector-2022-030-0036-01-e-h-6227BD35.pdf), we have laid out what investment and regulatory framework will be needed to achieve the points of interest flagged by CEER in this section of their proposed work program.

More specifically, these include:

- Transparency for market parties on the overall process and the outcome of DSO decision making, but also concerning the definition of DSO needs and the tendering process
- Data visibility, especially transparent information of network needs under clear rules, to promote market participation and avoid unwanted market behaviour. Data must be visible, free, easily accessible, and machine readable.
- Coordination of needs among neighbouring System Operators and between market processes.
- Value Stacking, any Flexibility Service Provider should be able to use their asset(s) to provide services to multiple markets and access multiple revenue streams while respecting the need to comply with Regulation (EU) 1227/2011 on wholesale energy market integrity and transparency.
- Incentives or adequate remuneration schemes, set by the National Regulatory Authorities, are needed for the efficient provision of flexibility services while traditionally, remuneration schemes induced DSOs to invest only in grid reinforcement. They should be improved to incentivise the use of the most cost-efficient solution by DSOs, including the procurement of flexibility.
- A technology neutral approach to product definition and the design of the market platforms. This requires an agnostic framework, including for aggregated sources.

Eurelectric would also like to highlight that the development of such regulatory framework does not pass only by the transposition of the Directive 944/2019 of the Clean Energy for All Europeans Package (CEP) to national legislation, but also from the effective development of those disposition by the national regulators, other competent authorities, and other entities such as system operators. In this sense, the availability of (close to) real-time information on metered data and prices to all interested market parties plays a significant role. Eurelectric would welcome a stronger monitoring by CEER on the enablement of such regulatory framework.

DSOs are key for the development and use of flexibility, they should support market parties who want to actively participate in the energy market through services like aggregation, demand management, and peer-to-peer trading.

At the same time, changes to the energy market pose several technical and organizational challenges for DSOs, like how to supply EV charging stations, optimizing the use of energy storage facilities, and empowering active customers with self-consumption control. All of this leads to the development of flexibility services. Where the primary grid flexibility is insufficient to achieve the necessary results (i.e., to increase the security of supply and improve the quality of distribution service in the most efficient ways), DSOs may procure such flexibility as a service, under market-based procedures.

Decentralised & Local Energy

A key pillar of Eurelectric's work is ensuring suppliers can support consumers in participating more fully in the energy transition, which includes facilitating the development of prosumers and energy communities across Europe. We welcome CEER's work to develop the tools and framework necessary to help consumers take on such roles.

We consider that in order to empower customers and active market participation, market-based solutions for flexibility procurement should be the default. DSOs will play the key role of facilitators for market efficient and transparent flexibility procurement. This will enable the creation of a supportive environment to design a market-based procurement approach in dialogue with prosumers and all other relevant stakeholders.

2. Within each priority area, do you think the Work Programme focuses on the right deliverables or should some be deleted or added? [Please note that not every aspect in each of the six core areas would be addressed in a single year's work programme.]

While Eurelectric welcomes what appears to be an ambitious work program for 2023, in the current situation, it is understandable that a large part of the 2023 WP is dedicated to market design and customer protection, given the increase of energy prices and the upcoming winter supply challenges.

We would like to stress that energy efficiency and energy savings are clearly no regret measure to tackle on a structural basis the concerns of high energy bills to consumers and to pave the way to the net zero ambitions by 2050.

We also regret the lack of focus on how the currently negotiated Energy Taxation Directive could be formulated to both provide consumers with immediate relief from high energy prices and effectively incentivize the decarbonization of the energy system. In order to achieve affordability, all taxes, charges, and levies not linked with the supply of respective energy carrier (e.g. electricity) should not be included in the energy bill.

Some deliverables which could be added to address the sustainable and efficient infrastructure topic is an updated benchmark of the SAIDI (System Average Interruption Duration Index) evolution between DSOs to be published on an annual basis, and a common taxonomy and EU standard key performance indicator for Quality of Energy and Service.

We would also like to see a deliverable showing how investments in networks and infrastructure will impact the achievement the energy transition goals, especially in terms of innovation, digitalisation, and network resilience.

QUESTIONS ON INDIVIDUAL WORK ITEMS

In total, there are 17 work items proposed in the draft CEER 2023 Work Programme divided into several areas: Customers and retail markets, Distribution systems, Electricity, Gas, International Relations, Legal Affairs, Market Integrity, Regulatory Benchmarking and Recurring/Cross-sectoral. Do you have any specific comments on the individual work items? Please note that you do not have to provide comments on all proposed items.

CUSTOMERS AND RETAIL MARKETS

Work item 1: ACER-CEER Energy Retail Markets and Consumer Protection Report Description: This annual ACER-CEER Market Monitoring Report aims to monitor consumer empowerment and retail markets developments across Europe. CEER will cooperate with ACER to deliver a comprehensive monitoring report to the European Parliament, investigating progress on the national implementation of European legislation focusing on consumer protection and empowerment, as well as the consumer experience in European energy markets. The report will include detailed insights on retail market developments, such as prices, price regulation measures and market structures, as well as relevant and new consumer issues such as energy poverty and active energy consumption. The primary data source for the report consists of the CEER national indicators and respective surveys. Beyond presenting the key results of our assessment of the functioning of the Internal Energy Market (IEM) in 2022, the MMR also contains recommendations on how to address the remaining identified barriers to the completion of the IEM. Do you have any specific comment on this individual work item?

Eurelectric considers the ACER-CEER Market Monitoring Report (MMR) as a key document to understand the evolutions and trends of both the wholesale and retail electricity markets. We think this focus on consumers is especially prescient given the developing situation in the markets. We would like some clarification on which consumers will be considered in the scope of the upcoming report and believe that different consumer empowerment models should be considered for different profiles (e.g., residential consumers need "set and forget" solutions, and public, commercial, and industrial consumers would need a different approach with a more complex and efficient energy management system). We are looking forward to the results of this report and remain available to engage on a bilateral basis on the upcoming edition of the MMR. We believe some discussion is needed on specific indicators included in the MMR, such as the switching rate, which may not always well reflect the market situation, especially over the past two years.

Work item 2: Report on consumer empowerment and protection during and after crisis (scenarios) Description: In light of the recent crisis scenarios in the energy sector, this deliverable will focus on the immediate and long-term effects on consumers and energy retail markets. The report aims to identify measures and strategies to protect consumers during crisis scenarios, discuss options and lessons learnt, and evaluate measures to facilitate the evolution of retail markets and consumer protection. Drawing from previous CEER work on crisis management and consequences, such as the workshops on “Game Changing Crisis” (How current developments may change consumer behaviour in the future. Loosing trust and relaunching consumer activity), the report should also amend the European Commission’s Communication on Tackling rising energy prices: a toolbox for action and support. The document will reflect on the advantages and disadvantages of different crisis management instruments and identify regulatory measures to (re)build consumer trust in a liberalised energy market. Do you have any specific comment on this individual work item?

Eurelectric is looking forward to the results of this report, especially on the long-term effects of particular mitigation strategies taken in different member states to provide relief to consumers due to the energy price shock. The CEP was devised a.o. to further protect the consumers. We would be interested to see some analysis done around the status of the implementation of the CEP and how it may or may not have affected the situation in various member states (which gaps exist between current provisions at EU-level [e.g., which consumer protection measures are already included in the electricity directive] and their implementation at Member State-level [e.g., are there any shortcoming in local transpositions / implementation decisions / choices?]). We would also like some clarification on how this report will amend the European Commission’s Communication – is a legal action planned?

Work item 3: Review of the metrics in CEER's 2017 Handbook for National Energy Regulators in light of the CEP implementation Description: CEER acknowledges the fact that the 2017 Handbook for National Energy Regulators and its metrics are dynamic by nature since legislation evolves as well as national circumstances. This means that CEER will look into reviewing the metrics periodically and propose updates or changes to the metrics and/or definitions when necessary. In particular, CEER will verify whether the metrics have to be adjusted or complemented with additional metrics considering that most of the acts under the Clean Energy for All Europeans Package (CEP) will have entered into force by 1 January 2021. Do you have any specific comment on this individual work item?

Eurelectric welcomes this work and looks forward to the update. We are also curious to see what results CEER finds when it comes to the implementation of the CEP across the Member States given the entry into force of 1 January last year.

We feel a higher emphasis on the role of smart meters could be envisaged by CEER. A European-wide vision on how metering and access to data and the functionality of relevant customer assets today should be accelerated in a consistent way following industry developments in IoT and communication technologies. From a customer perspective, the grid edge and metering should develop rapidly, providing them with better visibility into their energy consumption, and enabling the full deployment of new market models (like demand response) which will drive engagement and further empower customers to fully participate in the energy transition.

Work item 4: Self-Assessment Status Report 2023 for the Roadmap to Well-Functioning Retail Markets Description: This fifth Status Report continues to implement the framework developed by CEER in its 2016 "Roadmap to well-functioning retail energy markets in Europe". This framework aims to deliver reliable, affordable, and simple-to-use services to ensure the protection and empowerment of consumers by 2025. The self-assessment process can be described as a journey that starts with data collection, a reflection, and a gap analysis, leading to national recommendations and the monitoring of their implementation. The CEER Roadmap to well-functioning retail energy markets in Europe is part of CEER's pledge to realise the core principles of the CEER-BEUC 2020 Vision and the objectives set out in ACER's Bridge to 2025: Conclusions Paper Do you have any specific comment on this individual work item?

We highly value this report as it provides very useful input for evidence-based discussion on major issues related to consumers in the context of the continuing implementation of the CEP and the heightened ambition from the Commission in their Fit for 55 and REPowerEU packages.

DISTRIBUTION SYSTEMS

Work item 5: CEER Cybersecurity Report on Europe’s Electricity and Gas Sectors Description: Mapping the state of play of respecting cybersecurity in electricity and gas sectors Do you have any specific comment on this individual work item?

Eurelectric welcomes this report and finds the work around cybersecurity is well-timed, given the Commission’s recent publication of its Digitalisation Action Plan and the ongoing work in the sector to further digitalise the value chain from generation to end-user delivery. This should be addressed in light of the recent adoption of the NIS2 Directive and the upcoming implementation of the Cybersecurity Network Code on cross-border flows of electricity.

Then, it is not clear whether the mapping report will only focus on DSOs or the entire electricity system stakeholders, as they too must implement cybersecurity measures in their respective activities. Considering growing threats to the electricity sector, we would suggest CEER build a transversal programme on cybersecurity issues.

ELECTRICITY

Work item 6: High Market Prices Report Description: Energy commodity prices have reached unprecedented high levels across Europe. While various factors have contributed to the high energy prices in Europe, the main driver is the surge in the price of natural gas. RES WS will continue to engage with stakeholders and NRAs to display the reasons and state of play of the high market prices across Europe. Do you have any specific comment on this individual work item?

Eurelectric is interested in the outcomes of this report and remains available to exchange bilaterally to support the development of this deliverable.

A clear distinction should be made in the analysis between short-term wholesale market prices and consumers' prices. In particular, it would be interesting to get a view on the structure of consumer prices across Europe: fixed / variable / dynamic contracts, indices retained for setting up contracts, market-based vs asset-based formulas, role of suppliers in providing appropriate hedging for consumers, role of suppliers in identifying the risk profile of their consumers, existence of additional initiatives on energy efficiency, energy savings, self-production/consumption, etc.

Work item 7: RES Support Systems Report Description: The report is aimed to map the current approach to foster renewable energy deployment as defined by the Renewable Energy Directive 2018/2001/EU (RED II) in the EU. This report is prepared every two years. Do you have any specific comment on this individual work item?

Eurelectric finds this report very useful and remains available to exchange bilaterally to support the development of this deliverable. Beyond the elements that foster renewable energy deployment, it would also be interesting to analyse and to quantify to the extent possible the blocking factors for such a deployment. For instance, one could think about the permitting issues: how much time is needed to get a permit free of recourse?

GAS

Work item 8: Accompanying the Hydrogen and Gas Market Decarbonisation Package along the legislative process Description: CEER will continue to accompany the Hydrogen and Decarbonised Gas Market Package's legislative process and react jointly to proposals introduced by the European institutions. Building on the work done in 2022, a Fast Response Team will continue to assess CEER's position on the legislative proposals. Depending on legislative developments, it will flexibly implement several different work items. Such flexible work items could include drafting position papers, proposals for legislative amendments and briefing packs or organising CEER discussions, webinars or workshops with various external stakeholders. Do you have any specific comment on this individual work item?

Work item 9: Regulators' reflections on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market, including any impacts on the functioning and design of entry-exit systems Description: Regulators' reflections on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market, including any impacts Building on their work in 2022, CEER will continue to reflect on enabling the injection of renewable and low-carbon gases and ensuring their access to the wholesale market. This is a particularly hot topic in light of the Hydrogen and Gas Market Decarbonisation Package and will need further reflection from regulators in 2023. The paper will aim to clarify the scope entry-exit systems for decarbonised gases to avoid misinterpretations and over-regulation of the distribution level. Moreover, NRAs will aim to ensure the participation of local producers in the wholesale market via alternative solutions to full integration of transmission and distribution levels. This work item will be conducted with a certain flexibility regarding the ongoing legislative process in the European institutions and to the activities done under the Hydrogen and Decarbonised Gas Markets Package work item.on the functioning and design of entry-exit systems Do you have any specific comment on this individual work item?

We invite CEER to clarify what it exactly intends to investigate - or review - on the scope and definition of entry-exit systems for the application to renewable and low-carbon gases. Entry-exit systems have been a cornerstone of the gas market design for 2 decades and have proven their effectiveness for emergence of robust wholesale gas markets across the EU.

Work item 10: Targeted recommendations on storage regulation to support security of supply Description: CEER proposes to continue working on the topic of gas storage and to develop regulators' recommendations on newly proposed legislation on security of supply and decarbonisation. CEER will continue to engage with different stakeholders to discuss regulators' proposals on energy storage more broadly. The aim is to receive feedback from infrastructure operators and market players on the need for regulation. Do you have any specific comment on this individual work item?

Work item 11: The influence of new EU LNG terminals on the future European energy market Description: For this work item, CEER will analyse the new EU LNG projects planned for the coming years. These new projects are in many cases arising from the need to reinforce security of supply for European consumers in the current energy context, which is impacted by the Russian war in Ukraine, the capacity allocation mechanisms as well as access conditions and their influence on the European Energy Market. The Position Paper could also analyse the newly available information on gas prices and put them in context with other recent developments in European LNG terminals in 2022 and 2023. Do you have any specific comment on this individual work item?

INTERNATIONAL RELATIONS

Work item 12: CEER Strategy Document for International Activities Description: CEER Strategy Document fCEER will develop a new strategic document for its international activities. It will update the previous strategy for international activities from 2013 where possible and will develop new priorities and activities where necessary. During this update of CEER's strategy for international activities, the European Commission's new international energy strategy will also be taken into account and its priorities will be aligned. The document will set out CEER's strategy for its international cooperation efforts with fellow regulators and regional regulatory associations worldwide. It will focus on the main objectives of our international dialogue and illustrate some of the activities CEER is engaged in that contribute to these goals.or International Activities Do you have any specific comment on this individual work item?

LEGAL AFFAIRS

Work item 13: Public workshop on the LAC TSO/DSO unbundling report Description: Public workshop on the LACEER legal experts will organise a public workshop with participation of external stakeholders to present the results of the latest unbundling report. The focus of this public workshop will be on the most recent developments in the unbundling practice and unbundling related novelties introduced in the most recent legislative acts (e.g. Gas Package). TSO/DSO unbundling report Do you have any specific comment on this individual work item?

MARKET INTEGRITY AND TRANSPARENCY

Work item 14: Financial Regulation and the links to REMIT Description: Gas and electricity markets have their own dedicated regulation to address market abuse and transparency – the REMIT. Recently, there have been some attempts to revise the existing legislation in a restrictive way and replace energy regulators with financial regulators in supervisory tasks for the concerned products. CEER has publicly stated that this would be inappropriate, inconsistent, and inefficient considering the experience gained in this field by energy regulators. NRAs must regularly coordinate with national and European financial regulatory authorities to ensure proper energy market functioning from a regulatory perspective. Moreover, the recent increases in wholesale electricity and gas prices, as well as in CO2 emission certificates, led to increased margin requirements by Clearing Houses, potentially precipitating supplier insolvencies. CEER will continue to monitor this specific situation in order to ensure proper market functioning. Do you have any specific comment on this individual work item?

Eurelectric finds the REMIT-related reports very useful. We have not taken a position on whether the proposed changes to the REMIT legislation to replace energy regulators for financial regulators is appropriate, but we are interested to here CEER's view on this and to see their findings on the impact of the increased margin requirements on supplier insolvencies. This is currently a key issue in the energy market, and we are happy to contribute when possible solutions are being considered. This is currently a key issue in the energy market and we are happy to contribute when possible solutions are considered.

REGULATORY BENCHMARKING

Work item 15: Assessment of the internal organisation of NRAs Description: CEER will examine the internal organisation of NRAs, in particular (1) how it has changed over time (possibly reflecting the focus areas/tasks of NRAs) – e.g. which departments have been formed/what transformations there have been; how NRAs internally organise participation in CEER WGs; and (2) what NRAs are doing now to be attractive employers (because expertise is our main asset) – e.g. whether there are fringe benefits, efforts to become a modern employer (e.g. internal emission reduction measures), flexible working arrangements (including for parents), education and training etc. Do you have any specific comment on this individual work item?

RECURRING/CROSS-SECTORAL

Work item 16: Regulatory Frameworks Report 2023 Description: The Regulatory Frameworks Report (RFR) is an annual report which delivers a general overview about the implemented national energy regulatory regimes, efficiency developments and an analysis of the overall determination of capital costs. This report was previously named as the Investment Conditions Report. The report is popular among stakeholders as it provides a clear overview of the national regulatory regimes for the energy sector. Market participants and other stakeholders use the RFR to identify the regulatory regime in certain countries. TSOs/DSOs can benchmark how other countries deal with the financial issues they face, which are reflected in the regulatory frameworks. NRAs tend to use the RFR to compare their own regulatory regimes to those in other countries. It can therefore be considered as a highly informative CEER report. The 2023 report will be the twelfth edition of the report. Do you have any specific comment on this individual work item?

Work item 17: TCB21 - Cost Efficiency Benchmark Description: The TSO Cost Efficiency Benchmark is a CEER deliverable that periodically measures the TSO cost efficiency. Such a benchmark aims to ensure that tariffs are based on efficient costs as stipulated by European law, which is an important mandate for regulators. The benchmark helps to identify the TSOs that are working efficiently and those whose work could be improved. The upcoming TSO Cost Efficiency Benchmark 2021 (TCB21) will be the sixth edition for electricity and the third for gas. The deliverable will include a consultancy to do the research and prepare the final reports. The research will likely again include several workshops for the participating NRAs and TSOs. Do you have any specific comment on this individual work item?