



## **Joint DSO Presentation**

Amount of data to be exchanged

Primacy of Economic Optimisation Over Retrospection

Brussels, 7 March 2018

## Content

- Amount of data to be exchanged
- Primacy of Economic Optimisation Over Retrospection

## Data exchange requests exceeding SOGL requirements

- First consultations show TSOs' data requests go beyond the set of data described in SOGL



1 Umsetzung der Vorgaben der System Operation  
 2 Guideline (SO GL) zum Datenaustausch in Deutschland  
 3  
 4 Konsultationsdokument zum Datenbedarf  
 5 Stand: 06. Februar 2018  
 6  
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8 Vorbemerkung  
 9 Die System Operation Guideline ("Verordnung (EU) 2017/1485 der Kommission vom 02.  
 10 August 2017 zur Festlegung einer Leitlinie für den Übertragungsnetzbetrieb"; nachfolgend  
 11 "SO GL") ist am 14. September 2017 in Kraft getreten. Das vorliegende Dokument  
 12 beschreibt einen Vorschlag der deutschen Übertragungsnetzbetreiber 50Hertz Transmission  
 13 GmbH, Amprion GmbH, TenneT TSO GmbH und TransnetBW GmbH (nachfolgend "ÜNB")  
 14 zur Umsetzung der Vorgaben der SO GL zum Datenaustausch in Deutschland.  
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- German TSOs currently consult the public on their draft data demand according art. 40(5) SOGL.
- The set of data described in the draft goes far beyond what is foreseen in SOGL.
- Data exceeding SOGL is mainly justified by national law.
- This data includes e.g.:
  - Detailed data of Type-A-generators
  - Data of storage other than pumped hydro
  - Data of SGUs exceeding what is laid down in art. 44 and 47 to 51 SOGL.

# Data set described in SO GL form a cap to data demands of TSOs

- ESC SO already agreed in its 2<sup>nd</sup> meeting in June 2017 that the data described in art. 44 and 47 to 51 SOGL and referenced by art. 40(5) forms a cap to data demand of TSOs as can be attributed to SOGL.
  - Regulation (EC) 714/2009 reads in its art. 8(7):“The network codes shall be developed for cross-border network issues and market integration issues and shall be without prejudice to the Member States’ right to establish national network codes which do not affect cross-border trade.”
  - Furthermore, Regulation (EC) 714/2009 adds in its art. 21:“This Regulation shall be without prejudice to the rights of Member States to maintain or introduce measures that contain more detailed provisions than those set out herein or in the Guidelines referred to in Article 18.”
- A TSO cannot use SOGL as justification for requesting more data than described in SOGL.
  - Network Codes cover everything relevant for cross-border network issues, hence at least everything relevant for the transmission system. A member state is not entitled go beyond provisions of Network Codes with regard to transmission issues with cross border relevance in national law. (But might do so for distribution issues having no cross-border relevance.)
  - However, more detailed provisions might be provided at a national level, where considered proportionate and justified by the National Regulatory Authority, as long as there is no conflict with Network Codes.

## Explicit statement of ESC SO requested to enable harmonised national implementation

DSOs' representatives ask the ESC SO to agree:

The set of data described in art. 44 and 47 to 51 SOGL is the maximum set of data TSOs can request from grid users on the basis of system security with cross border relevance. Neither the SOGL nor any national law entitles TSOs

- to request a larger set of data than described in SOGL from SGUs or
- data from grid users which are not explicitly designated as being significant in SOGL.

## Economic Implementation

- SOGL implementation should respect the primacy of economic optimisation in realising the objectives of secure system operation.

## Economic Implementation

SOGL applies retrospectively without provision for a derogation process

=> care must be taken in national implementation to ensure that decisions in the implementation process are compliant but efficient and proportionate!

There is no legal basis for the answer given previously, nor the exclusion of comms lines within this – it is an opinion and suggested guidance only.

There will be many specific conditions which will determine efficiency and proportionality depending on geographical, historical and other conditions.

This kind of regional and national variation is already explicitly respected in EUNCs – e.g. different Type thresholds apply in different regions.

Article 4 (2) requires efficiency, non-discrimination, and proportionality.

Articles 50 (1) and 51 (1) allow TSOs to provide for this.

We ask that NRAs require TSOs provide economic justification where implementation results in cost socialisation and other negative impacts.



# Economic principle for SOGL implementation

## *Article 4*

### *Objectives and regulatory aspects*

2. **When applying this Regulation, Member States, competent authorities, and system operators shall:**
  - (a) **apply the principles of proportionality and non-discrimination;**
  - (b) ensure transparency;
  - (c) **apply the principle of optimisation between the highest overall efficiency and lowest total costs for all parties involved;**
  - (d) ensure TSOs make use of market-based mechanisms as far as possible, to ensure network security and stability;
  - (e) respect the responsibility assigned to the relevant TSO in order to ensure system security, including as required by national legislation;
  - (f) consult with relevant DSOs and take account of potential impacts on their system; and
  - (g) take into consideration agreed European standards and technical specifications.

## Answer from previous ESC...

### Definition and interpretation of “existing/new SGUs” and the requirements they should comply with across the CNC and the SOGL

#### The updated answer:

- The CNCs define the required technical capabilities of the facilities while the SOGL defines the use of those capabilities once they are connected to the network - the requirements are to declare the capabilities and then comply with the SOGL according to those technical capabilities, SOGL does not request additional technical capabilities to existing installations.
- In case real-time data exchange capability is required from existing installations that do not have the capability yet, then the existing facilities have to declare that they don't have the real-time capability in justified way. It is to be noted that a communication line is not a capability of a SGU, and therefore cannot be part of the justification.
- Existing installations having real-time data exchange capabilities, cannot declare that the installations do not have the capabilities.

## Answer from previous ESC...

**This is a specific process suggested by ENTSO-E, without legal basis.**

**TSO should be required to consider such practical and costly impacts in economic justification.**

**This is effectively derogation processing, which can result in**

- **Resourcing costs for user and SO (socialised)**
- **Connection and certification delays**
- **Greater uncertainty, with financial impact for user**

**NRAs may deem it appropriate for TSO seeking this to commit resources to ensuring it does not have a disproportionate impact on system users, new connections, or other system operators.**

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- Existing installations having real-time data exchange capabilities, cannot declare that the installations do not have the capabilities.

## Answer from previous ESC...

**Agreed a communication line is not a capability. But that should not preclude its consideration in economic justification! It is still a legitimate minimum technical requirement.**

**Communications lines drive cost. Installation should be where the value returned exceeds the cost.**

- **Cost can be significant to reach remote locations (discrimination based on location?)**
- **Potentially limited benefit of retrospection (i.e. as there are a limited number of cases where the question applies)**

**Mandatory retrospection w/o regard for minimum legitimate technical requirements, and w/o economic justification or exploration of alternatives, appears inconsistent w. Article 4 (2c).**

installations that do not have the capability yet, existing facilities have to declare that they don't have the real-time capability in justified way. It is to be noted that a communication line is not a capability of a SGU, and therefore cannot be part of the justification.

- Existing installations having real-time data exchange capabilities, cannot declare that the installations do not have the capabilities.

Thank you for your attention

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