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**All TSOs' proposal for intraday cross-zonal gate opening and gate closure times in accordance with Article 59 of Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a guideline on capacity allocation and congestion management**

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7 December 2016

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All TSOs, taking into account the following:

### Whereas

- (1) This document is a common proposal developed by all Transmission System Operators (hereafter referred to as “TSOs”) regarding a proposal for intraday cross-zonal gate opening time (hereafter referred to as “IDCZGOT”) and a proposal for intraday cross-zonal gate closure time (hereafter referred to as “IDCZGCT”).
- (2) This proposal (hereafter referred to as the “IDCZGT Proposal”) takes into account the general principles and goals set in Commission Regulation (EU) 2015/1222 establishing a guideline on capacity allocation and congestion management (hereafter referred to as the “CACM Regulation”) as well as Regulation (EC) No 714/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity (hereafter referred to as “Regulation (EC) No 714/2009”).
- (3) The goal of the CACM Regulation is the coordination and harmonisation of capacity calculation and allocation in the day-ahead and intraday cross-border markets. To facilitate these aims, it is necessary to set an intraday cross-zonal gate opening and gate closure time.
- (4) Article 59 of the CACM Regulation constitutes the legal basis for this proposal and defines several specific requirements that the IDCZGT Proposal should take into account:
  - “1. By 16 months after the entry into force of this Regulation, all TSOs shall be responsible for proposing the intraday cross-zonal gate opening and intraday cross-zonal gate closure times. The proposal shall be subject to consultation in accordance with Article 12.*
  - 2. The intraday cross-zonal gate closure time shall be set in such a way that it:*
    - (a) maximises market participants' opportunities for adjusting their balances by trading in the intraday market time-frame as close as possible to real time; and*
    - (b) provides TSOs and market participants with sufficient time for their scheduling and balancing processes in relation to network and operational security.*
  - 3. One intraday cross-zonal gate closure time shall be established for each market time unit for a given bidding zone border. It shall be at most one hour before the start of the relevant market time unit and shall take into account the relevant balancing processes in relation to operational security.*
  - 4. The intraday energy trading for a given market time unit for a bidding zone border shall start at the latest at the intraday cross-zonal gate opening time of the relevant bidding zone borders and shall be allowed until the intraday cross-zonal gate closure time.*
  - 5. Before the intraday cross-zonal gate closure time, market participants shall submit to relevant NEMOs all the orders for a given market time unit. All NEMOs shall submit the orders for a given market time unit for single matching immediately after the orders have been received from market participants.*
- (5) Article 2 (38) of the CACM Regulation defines the intraday cross-zonal gate opening time as “*the point in time when cross-zonal capacity between bidding zones is released for a given market time unit and a given bidding zone border*”.

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- (6) Article 2 (39) of the CACM Regulation defines the intraday cross-zonal gate closing time as *“the point in time where cross-zonal capacity allocation is no longer permitted for a given market time unit”*.
- (7) Commission Regulation (EU) No 543/2013 of 14 June 2013 on submission and publication of data in electricity markets and amending Annex I to Regulation (EC) No 714/2009 of the European Parliament and of the Council (hereafter referred to as “Regulation 543/2013”) provides definitions of the following relevant terms:
- a. Capacity allocation is defined under Art.2 (4) *‘capacity allocation’ means the attribution of cross zonal capacity;*
  - b. Cross-zonal capacity is defined under Art.2 (10): *‘cross zonal capacity’ means the capability of the interconnected system to accommodate energy transfer between bidding zones;*
  - c. Bidding zone is defined under Art.2 (3): *‘bidding zone’ means the largest geographical area within which market participants are able to exchange energy without capacity allocation.*
- (8) In the context of this proposal, the definition of “intraday market timeframe” is important and is defined at Article 2 (37) of the CACM Regulation as follows: *“‘intraday market timeframe’ means the timeframe of the electricity market after intraday cross-zonal gate opening time and before intraday cross-zonal gate closure time, where for each market time unit, products are traded prior to the delivery of the traded products”*.
- (9) The definition of “market time unit” is also important and is defined in Article 2 (19) of Regulation 543/2013 as: *“the period for which the market price is established or the shortest possible common time period for the two bidding zones, if their market time units are different”*.
- (10) Additional relevant references to IDCZGOT and IDCZGCT within the CACM Regulation are listed below:
- a. Article 51 (1):  
*“From the intraday cross-zonal gate opening time until the intraday cross-zonal gate closure time, the continuous trading matching algorithm shall determine which orders to select for matching such that matching: (...)”*
  - b. Article 58 (1):  
*“Each coordinated capacity calculator shall ensure that cross-zonal capacity and allocation constraints are provided to the relevant NEMOs no later than 15 minutes before the intraday cross-zonal gate opening time. “*
  - c. Article 63 (2):  
*“Complementary regional intraday auctions may be implemented within or between bidding zones in addition to the single intraday coupling solution referred to in Article 51. In order to hold regional intraday auctions, continuous trading within and between the relevant bidding zones may be stopped for a limited period of time before the intraday cross-zonal gate closure time, which shall not exceed the minimum time required to hold the auction and in any case 10 minutes.”*
  - d. Article 63 (4) (d):  
*“the timetables for regional auctions shall be consistent with single intraday coupling to enable market participants to trade as close as possible to real-time.”*

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- (11) Article 9 (9) of the CACM Regulation requires that the expected impact of the IDCZGT Proposal on the objectives of the CACM Regulation is described. The impact is presented below points (12) to (17) of this Whereas Section.
  - (12) The IDCZGT Proposal contributes to and does not in any way hamper the achievement of the objectives of Article 3 of the CACM Regulation. In particular, the IDCZGT Proposal serves the objective of promoting effective competition in the generation, trading and supply of electricity (Article 3 (a) of the CACM Regulation) by taking into account the importance of creating a level playing field for market parties active on cross-zonal intraday markets. Effective competition is to be reached via a common cross-zonal intraday market (single intraday coupling). Establishing common processes for the intraday market (inter alia, the IDCZGOT and IDCZGT) contributes to achieving this aim.
  - (13) The IDCZGT Proposal takes into account operational security in accordance with Article 3 (c) of the CACM Regulation by setting the IDCZGCT at 60 minutes before start of the relevant market time unit, which ensures that timings for market scheduling and balancing processes are sufficient to ensure operational security taking into account foreseen evolutions in congestion management processes, in the entire intraday coupled region.
  - (14) In accordance with Article 3(d) of the CACM Regulation, and taking into account the capacity calculation methodologies to be developed pursuant to Article 20 of the CACM Regulation, allowing for the IDCZGOT to be specified on a capacity calculation region level at a time earlier than what is proposed in this proposal, assists with optimising the calculation and allocation of cross-zonal capacity.
  - (15) By coordinating the timings for the intraday market, the objective of fair and non-discriminatory treatment of the market parties is provided for. Moreover, single timings to be applied in the whole single intraday coupled region allow for a fair and orderly organisation of this market in line with Article 3 (h) of the CACM Regulation. This additionally guarantees equal access to cross-zonal capacity in the intraday timeframe further to Article 3 (e) of the CACM Regulation.
  - (16) Finally, the IDCZGT Proposal contributes to the objective of providing non-discriminatory access to cross-zonal capacity (Article 3 (j) of the CACM Regulation) by granting market participants a level-playing field throughout the European Union with a clear and consistent framework for intraday gate times.
  - (17) In conclusion, the IDCZGT Proposal contributes to the general objectives of the CACM Regulation.

**SUBMIT THE FOLLOWING IDCZGT PROPOSAL TO ALL NATIONAL REGULATORY AUTHORITIES:**

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## **Article 1**

### **Subject matter and scope**

The IDCZGOT and IDCZGCT as determined in this IDCZGT Proposal is the common proposal of all TSOs in accordance with Article 59 of the CACM Regulation.

## **Article 2**

### **Definitions and interpretation**

1. For the purposes of the IDCZGT Proposal, the terms used shall have the meaning given to them in Article 2 of Regulation (EC) 714/2009, Article 2 of Regulation (EC) 2013/543, Article 2 of Regulation (EC) 2015/1222 and Article 2 of Directive 2009/72/EC.
2. In this IDCZGT Proposal, unless the context requires otherwise:
  - a) the singular indicates the plural and vice versa;
  - b) headings are inserted for convenience only and do not affect the interpretation of this proposal; and
  - c) any reference to legislation, regulations, directives, orders, instruments, codes or any other enactment shall include any modification, extension or re-enactment of it when in force.

## **Article 3**

### **Application of this proposal**

This proposal applies solely to intraday cross-zonal gate opening and closure times. Gate opening and gate closure times for intraday trading within a bidding zone are outside the scope of this proposal.

## **Article 4**

### **Intraday Cross-Zonal Gate Opening Time**

The IDCZGOT shall be 22.00 market time day ahead.

## **Article 5**

### **Specification of Intraday Cross-Zonal Gate Opening Time at Capacity Calculation Region Level**

1. An IDCZGOT that is earlier than the IDCZGOT specified at Article 4 may be proposed and adopted at capacity calculation region level.
2. Any earlier IDCZGOT decided on at a capacity calculation region level shall be proposed by all TSOs within that capacity calculation region for approval to the relevant national regulatory authorities in the capacity calculation region.
3. The process outlined at Article 9 (3) of the CACM Regulation shall be used by all TSOs in a capacity calculation region to reach agreement in terms of proposing an IDCZGOT that is earlier than 22.00 market time day ahead.
4. Where all TSOs in a capacity calculation region wish to propose an IDCZGOT that is earlier than 22.00 market time day ahead, they shall submit the proposal to the relevant national regulatory authorities in the capacity calculation region at the same time as the proposal for capacity calculation methodologies required under Article 20 (2) of the CACM Regulation are being submitted. This proposal shall be subject to consultation in accordance with Article 12 of the CACM Regulation.
5. In accordance with Article 9 (14) of the CACM Regulation, where all TSOs in a capacity calculation region propose an IDCZGOT that is earlier than 22.00 market time day ahead, they shall publish the proposal on the internet after approval by the competent national regulatory authorities.

## **Article 6**

### **Intraday Cross-Zonal Gate Closure Time**

The IDCZGCT shall be 60 minutes before the start of the relevant intraday market time unit.

## **Article 7**

### **Publication and Implementation of IDCZGT Proposal**

1. The TSOs shall publish the IDCZGT Proposal without undue delay after all national regulatory authorities have approved the proposed IDCZGT or a decision has been taken by the Agency for the Cooperation of Energy Regulators in accordance with Article 9 (10), Article 9(11) and 9(12) of the CACM Regulation.
2. The TSOs shall implement the IDCZGOT and IDCZCGT on a Bidding Zone border immediately after the common grid model methodology developed in accordance with Article 17 of the CACM Regulation, the capacity calculation methodology developed in accordance with Article 20 of the CACM Regulation, the market coupling operator function developed in accordance with Article 7(3)) of the CACM Regulation, and the relevant coordinated capacity calculator has been set up in accordance with Article 27 of the CACM Regulation, are implemented on this Bidding Zone border.

## **Article 8**

### **Language**

The reference language for this IDCZGT Proposal shall be English. For the avoidance of doubt, where TSOs need to translate this IDCZGT Proposal into their national language(s), in the event of inconsistencies between the English version published by TSOs in accordance with Article 9(14) of the CACM Regulation and any version in another language, the relevant TSOs shall be obliged to dispel any inconsistencies by providing a revised translation of this IDCZGT Proposal to their relevant national regulatory authorities.