



REPUBLIKA E SHQIPËRIË

ENERGY REGULATORY AUTHORITY

BOARD

DECISION

No. 160, Dated 02.07.2021

ON OPENING THE PROCEDURE TO REVIEW THE REQUEST OF TSO COMPANY ON APPROVING THE TRANSMISSION CODE

Based on article 16,56, point 1, letter “g”, of Law no. 43/2015 “On Power Sector”, as amended; as well as article 19 and 26 of the “Rules for ERE Organization, Operation and Procedures” approved with ERE Board Decision no. 96, dated 17.06.2016, Energy Regulatory Authority (ERE) Board on their meeting dated 02.07.2021, after reviewing report Protocol no. 100/1, dated 29.06.2021 prepared by the Technical Directories “On opening the procedure to review the request of TSO company on approving the Transmission Code”,

Observed that:

- In accordance with the provisions of article 56, point 1, letter "g" and article 63, of Law no. 43/2015, "On Power Sector", as amended, the Transmission System Operator (TSO company) has the obligation to draft and publish the Transmission Code in accordance with the requirements of the ENTSO-E Grid Code.
- Transmission System Operator (TSO company) through official letter Protocol no. 3410 dated 26.05.2021, registered at ERE with Protocol no. 703 dated 27.05.2021 submitted for approval the new version of the "Transmission Code".
- ERE through official letter Protocol no. 703/1 dated 10.06.2021, submitted at TSO company following the request from the latter, to explain in detail the reasons leading to the request for the approval of a new Transmission Code, as well as to present the relevant arguments referring to the amendments of this draft with the Transmission Code approved with ERE board decision no. 186, dated 10.11.2017, amended by decision no. 129, dated 04.06.2018.
- In the meantime TSO company shall also notify whether the new draft Code, submitted at ERE was formerly consulted with the interested parties.
- TSO company through official letter Protocol no. 3410/2 dated 15.06.2021, submitted at ERE the additional information as requested, informing that: “The proposed draft aims to advance the process for the implementation of ENTSO-E grid codes which are transposed by ERE board decisions no. 127, 128, 129, dated. 04/06/2018. These amendments are especially important in the context of addressing the recommendations of the Energy Community identified in the Annual Implementation Status Report published in November 2020 regarding the implementation of ENTSO-E Grid Codes ”. In this official letter TSO company also indicated that: “... with official letter Protocol no. 4758 dated 08/09/2020,

State Technical and Industrial Inspectorate (ISHTI) submitted a request to reflect Council of Ministers Decision no. 482 and 483, dt.17 / 06/2020, in the Transmission Code. In accordance with this request, TSO company reflected in the entirety of the draft and in particular in Part IV - Requirements according to the technical rule for lines and installations over 1 kW of the Grid Code to the Transmission System, in the new draft, according to the recommendations received from the State Technical and Industrial Inspectorate (ISHTI). ”

- The new version of the Transmission Code, submitted at ERE through official letter Protocol no. 3410 dated 26.05.2021 by TSO company is based on the Commission Regulation (EU) 2017/1485 of 2 August 2017 “On establishing a guideline on electricity Transmission System Operation” compared to the existing Transmission Code, which was drafted before this Regulation.
- According to the framework applicable by ENTSO-E, the new draft of the Transmission Code fully includes the Emergency & Restoration Code based on the Commission Regulation (EU) 2017/2196, of 24 November 2017, on defining the “Network Code on Electricity Emergency and Restoration”.
- Based on the obligations for the preliminary consultation of the draft Transmission Code, TSO company submitted their official letter Protocol no. 1584 dated 05.03.2021, to the Ministry of Infrastructure and Energy (MIE), the State Technical and Industrial Inspectorate (ISHTI), National Agency of Natural Resources (AKBN), General Directorate of Metrology (DPM), Electricity Distribution Operator (OSHEE company) Albanian Power Corporation (KESH company) UPT and Albanian Renewable Energy Association. TSO company published on their official website the new draft of the Transmission Code for consultation on 05.03.2021 until 03.04.2021. The request for consultation, mentioned above, was also submitted to the interested parties through official letter Protocol no. 1584/3 dated 28.04.2021.
- In response to the official letters mentioned above, TSO company informed that the Ministry of Infrastructure and Energy (MIE) and General Directorate of Metrology (DPM) agreed on the new version of the Code without providing comments or suggestions for further amendments, while UPT submitted their comments, which as suggested by TSO company were generally reflected in the draft that was submitted at ERE for approval.
- In the draft of the Transmission Code submitted by TSO company, it results that:

There are several amendments in the General Provisions Chapter which ensures that the individual codes that are an integral part of the Transmission Code, work together and are applicable in practice.

The chapter on Transmission System Planning has not undergone many amendments when compared to the existing Code, but in the new version of the Code some amendments were made that reflect the current practices and this new version is accompanied with some elements of the practical work with ENTSO-E.

Furthermore, the relevant procedure for the application for connection to the system has been reviewed as to clarify the required documentation and the stages and terms from the application for connection to the energisation and commencement of operations of the users. The

obligations according to Council of Ministers Decision no.483, dated 17.06.2020,« On the approval of the technical rule “On technical conditions and guaranteeing the safety of high voltage electrical installations, over 1 kV” » are also reflected and incorporated.

The chapter on System Operation was reviewed based on the Commission Regulation (EU) 2017/1485, of 2 August 2017. This chapter sets harmonized rules for TSO company and the users to guarantee system security, availability, data exchange, integration of renewable energy sources, efficient use of the network, as well as increasing competition and customer benefit.

The new draft of the Transmission Code proposed by TSO company provides specific rules which address issues regarding the Emergency Conditions and System Restoration, which are based on the Commission Regulation (EU) 2017/2196, of November 24, 2017. The provisions in this part of the Code set out the procedures and actions to be performed specifically in the state of emergency, black-out and resettlement, which are designed as a common set of minimum technical principles and requirements taking into account the preventive or remedial measures in terms of synchronous operation with the European network.

In the new draft of the Transmission Code, the rules related to Market Operation and Metering Rules were reviewed with a special focus on the latter. This part of the Code addresses the functioning of the Market Operator, the market operation and also the relationship between Transmission Operator (TO), TSO and DSO as well as the users of the transmission system.

As defined in Article 26, of the “Rules for ERE Organization, Operation and Procedures” approved with ERE board decision no. 96, dated 17.06.2016, ERE publishes within 2 (two) working days an announcement in 2 (two) national newspapers by inviting the interested parties or other persons to be informed with the draft – Transmission Code and to send their comments in a written form.

For all of the above mentioned, ERE Board,

Decided:

1. To open the procedure to review the request of TSO company on approving the “Transmission Code”.
2. The Legal Directory shall inform TSO company and the interested parties about ERE Board Decision.

This decision enters immediately into force.

About this decision may be required its review within 7 calendar days and may be complained on Tirana Administrative Court within 30 calendar days from the day of its publication on the Official Gazette.

This decision shall be published on the Official Gazette.

ERE CHAIRMAN

Petrit AHMETI