



REPUBLIKA E SHQIPËRIË

**ENERGY REGULATOR AUTHORITY**

**BOARD**

**DECISION**

**No. 180, Dated 29.05.2023**

**ON**

**THE REQUEST OF THE TRANSMISSION SYSTEM OPERATOR (TSO) COMPANY  
FOR THE APPROVAL OF THE REGULATION "ON THE SUSPENSION AND  
RESTORATION OF THE MARKET ACTIVITY, RULES FOR IMBALANCE  
SETTLEMENT, SETTLEMENT OF BALANCING CAPACITY AND BALANCING  
ENERGY, FOR THE PERIOD DURING WHICH MARKET ACTIVITIES ARE  
SUSPENDED**

Based on articles 16,19 and 62 of Law no. 43/2015 “On Power Sector” as amended, “Transmission Code” approved with ERE Board decision no.63, dated 11.04.2022; as well as article 15 of the “Regulation for ERE Organization, Operation and Procedures” approved with ERE Board Decision no. 96, dated 17.06.2016; ERE Board on their meeting dated 29.05.2023, after reviewing the report Protocol no. 1363/3, dated 24.05.2023 prepared by the Technical Directories, “On the request of TSO company for the approval of the regulation “*On the suspension and restoration of the market activity, rules for imbalance settlement, settlement of balancing capacity and balancing energy, for the period during which market activities are suspended*”,

**Observed that:**

- ERE Board with decision no. 106, dated 02.07.2020, decided to approve the Rules of the Albanian Electricity Balancing Market Rules, which are in force but do not define the operation mode of balancing in cases of suspension and restoration of balancing market activity, rules for imbalance settlement, settlement of balancing capacity and balancing energy, for the period during which market activities are suspended.
- Also ERE, with decision no. 63, dated 11.04.2022, approved the Transmission Code, which entered into force on 01.07.2022. In point 2 of decision no. 63, dated 11.04.2022, it is determined that: *"TSO company must review and complete all the acts that are affected by the*

*amendments in the Transmission Code, including the operation agreement, and shall submit them at ERE in accordance with the legal provisions in force until April 30, 2023".*

- TSO company through official letter Protocol no. 2974 dated 28.04.2023, protocolled at ERE with Protocol no. 1363 dated 04.05.2023, submitted the request on approval of the regulation "On the suspension and restoration of market activity, rules for imbalance settlement, settlement of balancing capacity and balancing energy, for the period during which market activities are suspended".
- TSO company in this official letter informs that: *the Energy Regulatory Authority, with decision no. 63, dated 11.04.2022, approved the Transmission Code, which entered into force on 01.07.2022. In accordance with the provisions of this decision, TSO company must review and complete all the acts affected by the amendments in the Transmission Code and shall submit them at ERE, in accordance with the legal provisions in force. Under these conditions, TSO company has been committed since July 2022 to the drafting of all documents that arise as an obligation of the implementation of the Transmission Code and has recently finalized the drafting of the Regulation "On the suspension and restoration of market activity, rules for imbalance settlement, settlement of balancing capacity and balancing energy, for the period during which market activities are suspended, as well as the technical requirements that must be met by voice communication systems".*
- TSO company states that the prepared regulation "On the suspension and restoration of market activity, rules for imbalance settlement, settlement of balancing capacity and balancing energy, for the period during which market activities are suspended" was also submitted for review at the interested parties and their comments were reviewed by TSO company.
- The regulation submitted by TSO company is composed of 16 articles which define the necessary elements for the suspension and restoration of market activity, rules for imbalance settlement, settlement of balancing capacity and balancing energy, for the period during which market activities are suspended.
- Albanian Association of Electricity Suppliers (AAES) through official letter Protocol no. 6/1 dated 09.05.2023, submitted comments regarding the draft rules "On the suspension and restoration of market activity, rules for imbalance settlement, settlement of balancing capacity and balancing energy, for the period during which market activities are suspended.
- Considering that currently ERE is in the beginning phase of the review procedure of these rules, the comments of AAES as well as the comments that shall be received from other interested parties shall be reviewed and handled simultaneously before the final decision of this procedure.

For all of the above mentioned, ERE Board

**Decided:**

1. To open the procedure to review the regulation “On the suspension and restoration of the market activity, rules for imbalance settlement, settlement of balancing capacity and balancing energy, for the period during which market activities are suspended”.
2. The Legal Directory shall inform TSO company and the interested parties about ERE Board decision.

This decision enters immediately into force.

Any party involved in this procedure may request from ERE, within 7 calendar days from the date of the decision, to review the board decision if it has provided new evidence that could lead the board to obtain a decision different from the previous one or for material errors ascertained. This decision can be appealed in the Administrative Court of Tirana, within 30 calendar days from the day of publication in the Official Gazette.

This decision shall be published on the Official Gazette.

**ERE CHAIRMAN**

**Petrit AHMETI**