



REPUBLIKA E SHQIPËRISË

**ENERGY REGULATOR ENTITY
BOARD**

DECISION

No. 280, of date 25.09.2023

ON

APPROVING THE RULES “ON THE SUSPENSION AND RESTORATION OF THE MARKET ACTIVITY, THE RULES FOR THE SETTLEMENT OF THE IMBALANCES, THE BALANCING ENERGY AND CAPACITY, FOR THE PERIOD DURING WHICH THESE ACTIVITIES ARE SUSPENDED”

Based on articles 16, 19 and 62 Points 1 and 2, of Law no. 43/2015, “*On Power Sector*”, as amended, Part IV, article 278 of the *Transmission Code*” approved with ERE Board Decision no. 63, of date 11.04.2022 as well as Article 15 of the *Regulation on ERE regulation, operation and procedures*, approved with ERE Board Decision no. 96, dated 17.06.2016; ERE Board on their meeting dated 25.09.2023, after reviewing the report Protocol no. 1363/6 of date 20.09.2023 prepared by the Technical Directorates *On approving the Rules “On the suspension and the restoration of the market activity, the rules for the settlement of the imbalances, balancing capacity and energy, for the period during which these market activities are suspended”*,

Observed that:

- TSO company with the official letter Protocol no. 2974, of date 28.04.2023, ERE protocol no 1363, of date 04.05.2023, submitted the request to approve the rules “On the suspension and the restoration of the market activity, the rules for the settlement of the imbalances, balancing capacity and energy, for the period during which these market activities are suspended”.
- ERE Board with Decision no. 180, of date 29.05.2023 decided to initiate the procedure for the review of the rules “On the suspension and the restoration of the market activity, the rules for the settlement of the imbalances, balancing capacity and energy, for the period during which these market activities are suspended”.
- ERE by the official letter Protocol no. 1363/4, of date 01.06.2023, informed the interested parties regarding Decision no. 180/2023: the Ministry of Infrastructure and Energy (MIE), the Competition Authority (AK), the Distribution System Operator (DSO) company,

the Free Trade Supplier (FTL) company, the Universal Service Supplier (FSHU) company, the Transmission System Operator (TSO) company, the Albanian Power Corporation (KESH) company, Kurum International company, Devoll Hydropower company, AYEN AS ENERGI company, Energji Ashta company, the Albanian Association of Electricity Suppliers (AAES), the Association of Foreign Investors in Trade and Industry (FIAA), the Albanian Association of Electricity Suppliers (AREA), the Chamber of Trade and Industry, the Association for the Protection of the Traders and the Market, the Association for Customer Protection, the Coupling of Albanian Producers, the Customer in Focus.

- For a comprehensive consultation of this act it was implemented its publication on ERE official website on 28.04.2023, at the consultation session.
- This regulation consists of 16 articles that define the necessary elements for the suspension and restoration of market activity, rules for imbalances settlement, balancing capacity, and balancing energy during the period in which market activities are suspended.
- The Competition Authority, with the official letter Protocol no. 311/2, dated 13.07.2023, ERE protocol no. 1363/5, dated 17.07.2023, among others provides, the following: *This procedure has been carried out in accordance with articles 16, 19, and 62 of Law no. 43/2015, "On the Power Sector," the "Transmission Code" approved with ERE Board Decision no. 63, dated 11.04.2022; as well as Article 15 of the Regulation on ERE organization, operation and procedures, approved with ERE Board Decision no. 96, dated 17.06.2016. From the assessment of this decision, it is observed that the above procedure does not contradict Law no. 9121, dated 28.07.2003, "On the protection of competition."*
- AAES from the moment of receiving the proposal from the TSO company with the official letter protocol no. 6/1, dated 09.05.2023, provided as follows:
...Considering the suspension of the electricity market as one of the extreme measures and with an extraordinary impact at all market participants, the report including even the measures undertaken from TSO company to the participants affected from TSO decision, shall be approved from ERE. Also it is provided that if ERE does not approve the report, it shall instruct TSO company to take the other measures, including the compensation of the affected participants in an unfair way...
...Considering that the suspension of the market from TSO company entails contractual non-compliance of the affected market participants from this decision, it is proposed that on this article shall be clearly defined and the participants and/or the activities that are suspended, reflecting even the consideration of this suspension as a Force Majeure.
... "To ensure accountability of the market participant who may have caused the market suspension (where applicable), we propose that TSO recovers the costs incurred as a result of the suspension from the party at fault (and not from the transmission fee, as specified in Article 12.5)."

The cause, the costs and the recovery shall be clearly reflected at the report defined on Article 9.7 of these draft rules.

- The regulation proposed by the TSO company, for which by ERE Board Decision no. 180, of date 29.05.2023, decided to initiate its review procedure, complies the necessary by-legal acts for the operation of the balancing market during the period when market activities are suspended."
- The Transmission Code allows TSO company the possibility that the rules 'On the suspension and restoration of market activity, rules for settling imbalances, balancing capacity and energy, for the period during which market activities are suspended,' may be separate or part of the balancing market rules applied for normal operation, which have already are approved with ERE Board Decision no. 106, of date 02.07.2020 on the approval of the Albanian Electricity Balancing Market Rules.
- ERE assesses that TSO company is the authority that operates the electricity balancing market both under normal conditions and in case of suspension of this market. TSO shall prepare the report specified in Article 9, point 7, and submits this report to market participants and to ERE."
- Law no. 43/2015 'On Power Sector' as amended does not specify that ERE shall approve the report prepared by TSO company. Meanwhile, the submission of this report at ERE and the market participants provides an opportunity for both ERE and interested parties to assess and express their respective opinions.
- In case of disagreement between any market participant and TSO company, considering the fact that both market participants and the TSO are licensed, this disagreement may be submitted at ERE for review.
- Under these circumstances, we assess that the approval of this report by ERE is a request that does not find support on Law no. 43/2015 'On Power Sector' as amended and does not resolve any specific issues between the TSO company and market participants.
- Regarding the clear identification of market participants, shall be considered that the specification regarding which market participants shall be notified of its suspension is an element that increases the responsibility of TSO company, handles market participants equally, and increases the transparency of this process.
- To have an inclusive process and eliminate any possibility of differential handling of the market participants, shall be assessed that TSO company shall inform all the registered market participants for the balancing in the electricity balancing market that is operated by TSO company.
- Regarding the consideration for the market suspension as a Force Majeure, shall be assessed that Law no. 43/2015, "On Power Sector", as amended, article 3 point 16, issues the definition of the force majeure: *"Force Majeure is an natural or social act or event such as earthquakes, lightning, cyclones, floods, volcanic eruptions, fires or wars, armed conflict, insurrection, terrorist or military action, which prevent a licensee from performing his obligations under the license or other acts or events that are beyond the reasonable control and not arising out of the fault of the licensee, and where the licensee*

has been unable to overcome such act or event by the exercise of due diligence and reasonable efforts, skill and care. On these conditions Law no. 43/2015, as amended, does not include the suspension of the market that is handled on this regulation as a force majeure and as consequence the request of AAES shall not be considered.

- The definition made by the TSO company where it is proposed that the costs are as result of the market suspension shall be covered by TSO company, through the transmission tariff does not guarantee the financial neutrality of TSO company. Including the TSO in a direct way to cover the costs there is not a financial neutrality of the TSO company but inclusion of TSO company on this process. As consequence, Article 10, point 4, shall be assessed to be amended as follows:

In case the TSO company shall suspend the defined activities of the market, the TSO shall send the notification "For the suspension of the TSO company market" including the information as follows:

- a) The date and the hour when the market activities are suspended;*
- b) Which activities are suspended;*
- c) The updates for the restoring process of the transmission system;*
- d) The best assessment for the time and the date of restoring the transmission system;*
- e) Other information if needed.*

Article 10, point 4, shall become:

If TSO company suspends the specific categories of the Market, TSO company shall send the notification for the "Suspension of the TSO company market" at all the electricity balancing market participants registered at TSO company. This information shall include in details.

- a) The date and the hour when the market activities are suspended;*
 - b) Which market activities are suspended;*
 - c) The updates for the restoration process of the transmission system;*
 - d) The best assessment for the time and the date of restoring the transmission system;*
 - e) Other information if needed.*
- The cost allocation for the transmission tariff which is paid by all transmission network participants that is not fair because those users that have not caused the market suspension shall pay for the persons that caused this suspension, an element that may stimulate the persons that caused the suspension not to have the needed care because the costs caused from them are covered even by other users. The amendment proposal aims the cost allocation to the persons that caused the market suspension and through the allocated account for the settlement of the imbalances, the balancing capacity and energy for the period during which the market activities are suspended, the financial neutrality assessment of TSO company. Regarding the justification shall be assessed that Article 12, point 5 shall be amended as follows:

Article 12, point 5, was: *To ensure the financial neutrality of TSO company, the difference between the sum of all costs for purchasing energy (all of the energy injected from the generation modules of energy as mentioned on Articles 12.4 and 12.7 and according to the case, the imported energy as result of re-energization strategy top-down) and the sum of all the energy sale incomes for the Controlled Dispatch period, as defined on Article 12.4 and 12.6 above, shall be recovered through the transmission tariff”.*

Article 12, point 5, becomes: *Any cost as result of the market suspension shall be covered by the market participants that caused the event which lead to market suspension. TSO company shall calculate these costs maintaining its financial neutrality and shall invoice to the persons that caused the market suspension. TSO shall keep allocated account for settling the imbalances, the balancing capacity and energy, for the period during which the market activities are suspended.*

For all of the above mentioned, ERE Board,

Decided:

1. To approve the rules “On the suspension and restoration of the market activity, the rules for the settlement of the imbalances, the balancing energy and capacity, for the period during which these activities are suspended” (attached)
2. Legal and Settling the Disputes Directory, shall inform the interested parties regarding ERE Board Decision.

This decision enters into force after publication on the Official Gazette.

Any party involved on this procedure may require at ERE, within 7 calendar days from being informed, to review the Board Decision if there are new evidences that may lead the Board in taking a decision different from the previous one or if there are observed material errors. Regarding this decision may be complained on Tirana Administrative Court, within 30 calendar days from the day this decision is published on the official gazette.

This decision shall be published on the Official Gazette.

CHAIRMAN

Petrit AHMETI

Rules on the suspension and restoration of the market activity as well as the invoicing and the settlement of the imbalances, the balancing capacity and energy in case of suspending the market activities

Article 1

Subject matter and Scope

1. This regulation shall define:
 - a) Principles that TSO shall follow in case of temporarily suspending one or more market activities in conformity with the Procedures for suspending the market activities defined on the Transmission Code;
 - b) The procedure that the TSO company shall implement to restore the suspending market activities according to the provisions of the Procedures to restore the market activities defined on the Transmission Code;
 - c) The communication procedure that the TSO company shall implement during the suspension and the restore the market activities according to the provisions for the Communication Procedures defined on the Transmission Code; and
 - d) The rules for invoicing and settling the imbalances and the invoicing and restore of the balancing capacity and the balancing energy which shall be applicable for invoicing and settling the disbalances for the periods during which the market activities are suspended according to the provisions for settling the Rules in case of suspension of the market activities defined in the Transmission Code.
2. This Regulation any amendment approved by ERE.
3. The TSO may require/propose the amendments on these Rules. The TSO company for any amendment of these Rules shall be consulted with the interesting parties as well as shall provide the necessary arguments for taking into consideration or not of the attitudes of the parties before the delivery of the amendments for approval at ERE.

Article 2

The terms and definitions

1. For the purpose of these Rules, the terms used shall have the meaning of the definitions included to the Transmission Code and the legal framework for the electricity and the balancing market.

Furthermore, shall be implemented the provisions as follows:

'DSO': The Distribution System Operator. DSO on this document shall mean the distribution operator charged with public service obligation.

'Transmission Code' shall mean the complexity of technical rules that regulate the transmission system operation, as well as define the service conditions that are provided by the Transmission System Operator to the users of the transmission system, according to ENTSO-E rules.

'Dispatch Controlled by the TSO': shall mean the activity performed by the Transmission System Operator on which the network users execute without unnecessary delays the instructions issued from the TSO.
2. On these Rules, except when the meaning dictates otherwise:
 - a) the singular includes the plural and vice-versa;
 - b) the content table, the titles and the examples are introduced only for facility and do not effect on the interpretation of these Rules
 - c) referring to any legislation, include any amendment of this legislation and any legislation that has substituted that legislation; and references on the documents or the legal

acts shall be considered that they are referred to all of their additions or amendments.

Article 3 General Principles

1. The TSO shall ensure the continuation of electricity transactions during the emergency situation, full/partial interruption or the restoration and shall suspend the market activity and the accompanying processes of the market as the last resort. The rules and the conditions on which electricity transactions may be suspended and restored shall be clear and objective.
2. Taking into consideration the extraordinary nature of the situations where the market activities may be suspended, the main approach is to define the general principles for the simple and transparent processes and shall be used the existing procedural means and contractual agreements.
3. When the new processes and procedures shall be restored, they shall be easy and efficient to be implemented.

Article 4 Coordination by the TSO company

1. On emergency situations, to handle such situations efficiently and effectively, TSO company held emergency staff which shall be charged with the:
 - a) general management of the emergency plan (i.e. shall define the strategy of the situation);
 - b) network monitoring and diagnostics;
 - c) the decision for suspending and the restore of the market activities;
 - d) the set of the priorities for the restore of the user's connection;
 - e) the decision for the communication with the interested parties according to the communication procedures mentioned on Chapter 5 of these Rules;
 - f) registration of the undertaken guidelines, decisions and actions.
2. During the suspension and the restore of the market activity, the TSO company shall coordinate with the parties as follows:
 - a. transmission operators of the regions for capacities calculation, the member of which is the TSO and as defined on Article 10.2 of this regulation;
 - b. the transmission operators with which the TSO company has an agreement for coordinating the balancing;
 - c. the defined NEMO-s and other entities defined or delegated to perform the functions of the market within its control area;
 - d. the transmission operators of the control block load – frequency, where the TSO company is a member;
 - e. the defined accouter of the capacity coordinated for the regions of calculating the capacities where the TSO is a member.

1. TSO company shall convert the situations referring to the provisions for the suspension procedures of the market activities defined on the Transmission Code on the parameters defined objectively. The proposed parameters from the TSO are available on the Annex of these rules.
2. The TSO shall access on real time these parameters and shall consider the delay defined on this regulation, before the initiation of the procedure for suspending the market activities. The final decision remains to TSO company before the initiation of suspending the market activities.

Article 5

Market Activities

1. The market activities that may be suspended by the TSO are defined on the Transmission Code from the provisions of the Procedures for suspending the market activities. To avoid the doubts, the TSO is not obliged to suspend all of the activities in the market on the same time, the TSO shall have the right to set which activity shall be suspended according to a specific situation and for the duration of this suspension. The TSO shall decide the market activities that shall be suspended, in coordination with the respective parties as mentioned on Article 4.2.
2. On the conditions of suspending the market activities, the TSO may suspend even the activities regarding the data transfer from one party to each other as follows:
 - a) ensuring cross-zonal capacity for the capacities allocation for the Single Day Ahead Coupling and/or Single Intraday Coupling at the respective area of the bids for each market unit where it is expected that the transmission system shall be not restore on normal or emergency situation;
 - b) submission of the bids from the Balancing Services Provider of the balancing capacities and the balancing energy;
 - c) provision from the Balancing Responsible Party of the balancing position by the end of the day ahead if required from the terms and conditions regarding the balancing;
 - d) provision of the modifications of the Balancing Responsible Party;
 - e) providing the generation schedules, consumption schedules, internal trading schedules and external trading schedules according to the provisions of the Transmission Code.
3. Other activities of the market which may be suspended are:
 - a) Long-term allocation of the transmission rights;
 - b) Single Day Ahead Coupling;
 - c) Single Intra-day Coupling;
 - d) Domestic intraday market in NEMO platform within the Bidding Area;
 - e) Procurement of the Balancing Services;
 - f) Publishing of imbalances price on TSO website, only when the TSO website may have technical problems, may bring the non-publication of the imbalances price. Immediately with the set into operation of the web-page shall be proceeded with the publication.

Article 6

The measures regarding the suspension of the Market Activities

1. The TSO may temporarily suspend one or more market activities when:
 - a) The Transmission System is in blackout situation; or
 - b) The TSO company has examined all of the options provided from the market for the continuation of market activities in emergency situation may worsen one or more conditions referred to the Transmission Code regarding the emergency situation; or
 - c) The continuation of the market activities may significantly lower the process of returning to normal or alarm situation; or
 - d) The communication means and approach necessary to perform the market activity from the TSO company which are not available.
2. TSO company shall make the efforts for the long-term operation of the market activities having into consideration that they are an essential factor for the normal operation of the system.
3. If the TSO decides for the suspension of one or more market activities, the interested parties mentioned on Article 10.2 shall be immediately informed according to the communication procedures as defined on Chapter 5 of these Rules.
4. In case of blackout situation, the TSO company shall perform Controlled Dispatch, during which the TSO company guidelines, in close cooperation with adjacent TSO-s, the DSO, CDSO, all customers connected to the market and/or to increase the loads and their

generation (with or without black start capacity) to follow a specific working point of active and reactive power.

5. During the Control Dispatch periods from the TSO, while some of the market activities are suspended shall be required from the parties to continue in providing if possible the information regarding:

- a) Generation, consumption internal and external schedules;
- b) Bids for the balancing capacity and energy from the OSHB;
- c) Provision from the balancing responsible party of the balancing position according to the time-frames of the effective rules, if required from the terms and conditions regarding the balancing;
- d) Modifications of the position of the other party for balancing.

The provision of this information shall be issued according to the attempts and cooperation with the abovementioned parties during the Controlled Dispatch period from the TSO.

6. TSO company shall ensure the availability, reliability and the appropriate reserves regarding as follows:

- a) Tools and facilitations to monitor the situation of the transmission system, including the applications to access the situation and the equipment's for load-frequency control;
- b) The tools for the control of the switches, gel-seal connectors, the angle adaptors and other tools that serve for the control of the transmission system elements;
- c) Communication means at the adjacent TSO communication means with the control rooms and with the Regional Security Coordinators (RSC);
- d) Tools for the operational security analysis; and
- e) Necessary communication means for the TSO to facilitate cross-border market.

The TSO company may suspend the market activities in the event the main object as well as the backup is one of the main objects is not available.

Article 7

Roles and responsibilities

1. The relevant obligations of TSO as laid out in the Terms and Conditions of BRPs and BSPs that are foreseen in these Rules are suspended during a TSO Controlled Dispatch period or suspension of market activities, without prejudice to the respective parties' obligations under the present Rules.

2. In the framework of these Rules, it is considered that during a period of TSO Controlled Dispatch the BRP is not responsible to keep its portfolio in balance, because this could reduce the efficiency to restore the transmission grid to normal or alert state. TSO will clearly communicate from which moment the BRP is not responsible to keep its portfolio in balance and then from which moment in time the BRP will be responsible again.

4. The DSO and the SGU (Significant Grid User) identified in implementing the Transmission Code, as well as any restoration service provider shall execute without delay the instructions of the restoration plans issued from the TSO company, in implementing the restoration plan.

Article 8

Transmission capacity calculation and allocation

1. Notwithstanding TSO's right as mentioned above to suspend some or all market activities in the listed conditions:

- a) TSO shall try to keep providing cross zonal capacity for capacity allocation through the Single Day-Ahead Coupling and/or the Single Intraday Coupling on the corresponding bidding zone borders for each market time unit. In case it is impossible for TSO to compute cross zonal capacity according to the normal process and principles, TSO will trigger the known fallback principles in order to deliver a set of fall back cross-zonal capacity values. These fall back cross-zonal capacities might be zero MW for all bidding zone borders and each market time unit;

b) The allocation of long-term transmission rights shall not be affected since this allocation does not affect the system state. This market activity might be postponed to a later moment in time after consultation between the Common Office of the Allocation Platform and the relevant Transmission Operators.

2. The countries that are not affected by the disconnections or the emergencies may not suspend the capacities allocation through the single day ahead coupling. In case of interruptions or emergencies the TSO and the NEMO may after the coordination between them apply the suitable reserve procedures for the day ahead coupling. The coupling of the day ahead shall not derogate the restoration process.

Article 9

The measures to restore the Market Activities

1. TSO company shall decide the restoration of different market activities according to the provisions of the Transmission Code. Some of the market activities may be restored sequentially, while others may be restored simultaneously.

2. It is of common interest to restore the market activities as soon as possible. However, TSO shall have sufficient confidence in the operational security before restoring the market activities and ending the phase of TSO Controlled Dispatch. TSP shall also take into consideration the readiness of the market participants and the availability of the communication means.

3. The TSO shall issue the update according to the restoration of the Transmission System according to the provisions of the Transmission Code and the communication procedures as well as Article 5 of these Rules.

The TSO shall restore the market activities in the following order:

- Day ahead market, and the markets coupling
- Generation schedule, the consumption, internal and external trading;
- a balanced position by the end of the day ahead, if this is required from the conditions related to balancing from one balancing responsible party;
- modifications of the balancing responsible parties' position;
- balancing capacities and the balancing energy bid from the balancing service provider, on the condition that the volumes shall be procured before the initiation of suspending the market and depending on the technical feasibility;
- intraday market and the coupling of intraday market
- publication of the imbalances price on TSO website

5. During the restoration process the TSO shall access and approve if the abovementioned sequence may be respected or not.

6. When TSO considers that all market activities may be restored, TSO shall communicate in due time or at least 2 hours before in case of TSO Controlled Dispatch before returning to normal market system operations in order to let the different stakeholders sufficient time to prepare the switch from TSO Controlled Dispatch to normal market system operations.

7. TSO shall prepare a report no later than 30 days after the market activities have been restored, containing a detailed explanation of the rationale, implementation and impact of the market suspension and a reference to the compliance with these Rules and shall submit it to Energy Regulatory Authority and make it available to the affected and interested parties.

Article 10

Communication procedure

1. TSO company shall define the specific duties and procedures case by case regarding the communication detailing the expected obligations and actions expected from each party regarding its different roles during the suspension and the restoration of the market activities

2. All of the respective notifications and information regarding the suspension and the

restoration of the market activities shall be send by TSO company as soon as possible and simultaneously to the entities as follows:

- Distribution System Operators (DSO);
- Closed System Distribution Operators (CDSOs);
- Restoration Service Providers (RSP);
- Balancing Responsible Parties (PPB);
- Nominated Energy Market Operators (NEMOs);
- Regulatory Authority;
- Public Authorities;
- Balancing Services Providers (OSHB);
- Important Network Users (SGU);
- The Regional Security Center where it participates;
- Regional TSO-s of calculating the capacity where the TSO company participates;
- Transmission System Operator of Natural Gas; the other Respective entities.

3. Regarding the Single Day-Ahead Coupling and the Single Intraday Coupling, communication procedures shall be agreed between the concerned TSO and concerned NEMO. These communication messages shall continue to be sent out by the concerned NEMO and/or the concerned TSO during periods of suspension and restoration of market activities. TSO shall remain in close contact with the concerned TSO and concerned NEMO to discuss and decide upon the actions to be performed by the different parties.

4. If TSO company suspends the specific categories of the Market, TSO company shall send the notification for the "Suspension of the TSO company market" at all the electricity balancing market participants registered at TSO company. This information shall include in details.

- a) The date and the hour when the market activities are suspended;
- b) Which market activities are suspended;
- c) The updates for the restoration process of the transmission system;
- d) The best assessment for the time and the date of restoring the transmission system;
- e) Other information if needed.

5. All notifications shall be published on TSO's website. If the Update or the notification through the website is not possible, the TSO company shall require the most appropriate approach to simultaneously communicate with the participants. The TSO shall invite the interested parties and the market participants to be registered in priority on these services. The TSO company shall inform the parties in the appropriate time about the registration information.

6. The TSO shall use the suitable communication means to inform on the due time all of the parties such as the website, e-mail, WhatsApp, SMS, iMessage or similar means, RSS, Twitter, etc. To receive such an information from the interested parties it is required the prior registration to the dedicated communication channels.

7. TSO shall send the information in due time but TSO company shall not assume responsibility for the good failure of operation of the communication channels provided by external parties when the system is in blackout state.

8. The notification "Market Restoration of the TSO" shall be send to the same entities as mentioned in Article 10(2) and shall be used for the same communication channels as the "Market suspension of the TSO".

1. The notification for the "Market Restoration of the TSO" shall include the information as follows:

- a) Which market activities will be restored and on which time;
- b) The notification that the market tools and the communication systems from different parties are operational;
- c) The time for the D-1 of the submission of the schedule, during 24 hours of the D day;
- d) The date and the time that the TSO company aims to transit from the Controlled dispatch

- situation of the TSO in
normal operation of the market system in the D day, or H hour;
- e) Other information if necessary.

Article 11

Rules for the invoicing and settlement of the balancing energy during the suspension of the market activity

1. These Rules shall:

- a. ensure the financial neutrality of TSO company and relevant third party;
- b. avoid the counterproductive incentives to BRPs, BSPs and TSO;
- c. incentivize BRPs to strive to be balanced or help the system to restore its balance, unless a situation as described in Article 7.2 of these Rules applies;
- d. avoid any financial penalties imposed to BRPs and BSPs due to the execution of the actions requested by the TSO;
- e. discourage TSO from suspending market activities, unless strictly necessary, and
- f. incentivize TSO to restore the market activities as soon as possible; and

helps restore the

incentivize BSPs to provide services to the TSO that

system to normal state.

2. Rules for the invoicing and the settlement during the suspension of the market activity as described are implemented only during the Dispatched Period from the TSO. These rules are not applicable at all other situations of market suspension.

Article 12

Applied principles in the event of Controlled Dispatch from TSO company

1. The nominations for the day ahead for the delivery day, as provided on the Terms and Conditions of the BRP, and that are confirmed by the TSO, are cancelled for the Controlled Dispatch Periods from the TSO.
2. During the Controlled Dispatched period from the TSO, the BRP is not responsible to keep its portfolio in balance, according to Article 7.2, because it may reduce the efficiency to restore the transmission network in normal situation. The TSO shall clearly define from which moment the BRP is not responsible to maintain its portfolio in balance and then from which moment the BRP shall be responsible again. This does not mean that the BRP is released from its obligations as defined on the terms and conditions of the BRP including but not being limited to the obligation to set available the necessary communication means.
3. During the Controlled Dispatch periods, any balance shall not be calculated as provided on the Balancing Rules of TSO company and the BRP conditions
4. When the User (the customer) is required to reduce the load, he/she shall be compensated from the TSO for the reduced energy (x capacity, verified from SCADA and the metering system) with the imbalance price. When the User (generator) is required to lower, reduce the generation, he/she shall not be subject of the imbalance for the respective activation period, so shall be considered as realized transaction according to the respective nomination. When it is required to increase generation, shall be compensated with the imbalance price for the increase of the generation, for the respective activation period.
5. Any cost as result of the market suspension shall be covered by the market participants that caused the event which lead to market suspension. TSO company shall calculate these costs maintaining its financial neutrality and shall invoice to the persons that caused the market

suspension. TSO shall keep allocated account for settling the imbalances, the balancing capacity and energy, for the period during which the market activities are suspended.

6. The invoicing and settlement shall be according to the effective balancing rules (as may be the BRP terms and conditions or the BRP agreement)

Article 13

Invoicing and the settlement of the imbalances during the process of automatic or manual disconnection/ restriction of the load

1. During the automatic or manual disconnection/restriction of the load as defined on the Protection Plan of TSO System, it is expected that the market activity shall not be suspended.
2. In such a situation, the TSO shall send a notification to the BRP-s and the BSP-s with the instructions to be followed depending on the situation.
3. Normal settlement of the Imbalances according to the TSO Balancing Rules and the terms and conditions of the BRP shall be implemented.

Article 14

Contractual arrangements

1. The terms and conditions of the BSP and the BRP shall also include the rules for the suspension and the restoration of the market activities and the rules for the settlement in case of market suspension.
2. Once this Regulation is approved by the Energy Regulatory Authority, the Terms and Conditions mentioned on Point 1 shall be modified by the TSO and shall be send for approval at the Energy Regulatory Authority according to the effective procedures.
3. In case these Rules have an impact on other contractual agreements between the TSO or any other interested party, these contractual agreements shall be modified by the TSO company and shall be submitted for approval to the relevant regulatory authority according to the formal procedure.

Article 15

General provisions

1. The implementation of these Rules is subject to:
 - a) the approval from the Energy Regulator of the rules for the suspension and the restore of the market activities and the rules for the invoicing and settlement in case of suspension of market activities;
 - b) the eventual coordination with adjacent TSO-s regarding the re-energization strategy top-down (including its financial compensation principles) which shall be handled in bilateral contractual agreements when these Rules are approved by the Regulatory Authorities;
 - c) detailed analysis of the influence of these Rules on IT systems of TSO company;
 - d) assessment from the TSO of the most suitable channels of communication to simultaneously inform the interested persons during the suspension and the restore of the market activities

the modifications of the contractual agreements as described on Chapter 8 of these Rules and the operational processes, some of which are subject of the approval from the Regulatory Authority.

The general planning is connected with the developments mentioned above, which are not only the responsibility of the TSO company but depend from the other parties.

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A detailed implementation plan may be established only in cooperation with all participating parties when these Rules are approved by the Regulatory Authority. The TSO may provide such a planning of interpretation six months from the approval by the Regulatory Authority.

Article 16 Language

1. The reference language of these Rules shall be the Albanian language that shall be submitted to the Regulatory Authority and shall be published by the TSO company on its website after the approval from the regulatory authorities.
2. An English version shall be published also on TSO website. For the avoidance of doubt, in the event of inconsistencies or uncertainties, the Albanian language version shall prevail.

Market activities that may be suspended and restored

Factors that shall be considered for the suspension rules and the restoration process of market activities	a. ensuring cross-zonal capacity for the allocation process	b. submission from the balancing service provider of the capacity bids and the balancing energy	c. ensure from the balancing responsible party of the balancing position by the end of the time period for the day ahead	d. ensure of the modification on position for the balancing parties responsible for balancing	e. ensure of the generation, load, internal and external trade schedules	f. other relevant activities, suspension of which is necessary to maintain and/or restore the system	
a. Percentage of the load switched to the corresponding LFC area	i. Major inability of the balancing responsible parties to maintain their balance ii. need of the TSO not to follow the common balancing processes to perform efficient re-energization	Continues except of the intraday calculation activity Is suspended in case of switching 50% of the load	Is suspended when 50% of the load is switched or Is suspended when detected the blackout situation	Continue the nominations when possible, balancing not required	Is suspended when 50% of the load is switched or Is suspended when it is detected the blackout situation	SUSPENDED, the imbalance price and the ID price Continues the DA Market: Continues except if the restoration may be reached for the day ahead. On this case DA is suspended if 50% of the load is switched or	
b. Percentage of switched generation in the corresponding LFC area 14	i. TSO company needs not to follow the common balancing processes to perform efficient re-energization ii. Major inability of the	Except of the generation percentage disconnected to the LFC area, when 50% of the load is disconnected (according to this scenario) the same criteria as mentioned above shall be applied for any market activity.					

	balancing responsible parties to maintain their balance						
c. Geographic part and distribution of the non-available transmission system elements that corresponds	<p>i. Dis-synchronization of a considerable part of the LFC area that performs the common, non-productive, balancing processes</p> <p>ii. reduction to zero of the cross-zonal capacity to the bidding zone border</p>	Except of the geographic part and distribution of the non-available transmission system elements, when 50% of the load is disconnected, (according to this scenario) for any market activity shall be applied the same criteria as mentioned above					
d. the inability of the affected parties to continue the execute of their market activities for reasons beyond their control	<p>i. balancing responsible party</p> <p>ii. bidding parties for the balancing service</p> <p>iii. NEMO</p> <p>iv. DSO connected to Transmission</p>	SUSPENDED only the market of calculating the ID capacities if 50% of the load is disconnected	SUSPENDED if 50% of the load is switched off	Suspended if 50% of the PBB are affected CONTINUES The parties may submit nomination if possible but are not required to be balanced	SUSPENDED if 50% of the load is switched off	<p>SUSPENDED if 50% of the PPB are affected</p> <p>Suspended if 50% of the OSHB are affected Continues except of the ID schedule</p> <p>Intra-day schedules continue to be provided until when 50% of the load is switched off when it is detected the black-out situation</p>	<p>The Imbalance Price and the ID is suspended</p> <p>Continues the DA Market except of the restore is not reached for the day-ahead.</p> <p>On this case it is suspended the DA if 50% of the load is switched or when the blackout situation is detected</p> <p>DA market activities are suspended if 50% of the PBB, OBSH, or NEMO are not able to</p>
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							perform their market activities for reasons out of their control
e. lack of the equipment's with normal operation and the communication means necessary to perform:	i.day ahead and intraday market coupling or any explicit allocation mechanism of the capacity ii.restoration process of frequency iii. reserve substitution process iv.ensurance from a balancing responsible party of a balancing position for the day ahead and ensurance of switching the position v.ensurance of the generation, load, internal and external trading schedules	Market only for calculating the intraday capacity if 50% of the load is disconnected, it is deducted the blackout situation	Suspended when 50% of the load is switched off, when it is deducted the blackout situation	CONTINUES The parties may submit nominations if possible but it is not required the nominations to be balanced SUSPENDED Continues	Is suspended when 50% of the load is switched off	Continues except of the ID market process Is suspended	It is suspended the imbalance price for the DA and ID SUSPENDED only the imbalance price for the ID Suspended the imbalance price for the DA and the ID

