

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 affect 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.
3. 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.
4. 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 adoptors 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. In case TSO suspends certain market, activities TSO shall send the notification "Market suspension TSO company" including the following information:
 - a) The date and time that the market activities are suspended;
 - b) Which activities are suspended;
 - c) Updates for the restoration process of the transmission system;
 - d) The best estimate for the time and 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 incentivize TSO to restore the market activities as soon as possible; and
 - f) incentivize BSPs to provide services to the TSO that helps restore the 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. To ensure financial neutrality of the TSO company the difference between the amount of all purchase costs of electricity, (the energy injected from the generation modules of the electricity as mentioned on Articles 12.4 and 12.7 and, according to the case, the energy imported as result of the result of top-down re-energization strategy) as well as the amount of all the sales incomes of electricity for the Dispatch Period as defined on Article 12.4 and 12.6 above, shall be restored through the transmission tariff.

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.

