

Public Consultation - Network Code on Demand Response

Introduction

1. Objective

The objective of this consultation is to gather views and information from stakeholders regarding ACER's revisions on the EU DSO Entity's and ENTSO-E's proposal for a network code on demand response (related documents 'E' below). The input from the consultation will be used by ACER to further amend the draft network code and related legal framework before submitting the final recommendation to the European Commission by March 2025.

2. Target group

This consultation is addressed to Electricity Transmission System Operators (TSOs), electricity Distribution System Operators (DSOs), Regional Coordination Centres (RCCs), Nominated Electricity Market Operators (NEMOs), investors, network users, producers, suppliers, new market players, exchanges, balancing providers, public authorities, academics, think tanks, environmental groups, civic society and other interested parties.

3. Contact and deadline

You are kindly asked to submit your responses through the survey tool by 31 October 2024, 23:59 hrs (CET). Apart from replying to the survey questions, expressing your level of agreement/disagreement with the revisions, and providing your comments, you are also welcome to submit proposed amendments to the public consultation documents, through the 'file upload' section of this survey. In this case, please use the following Word files (can be downloaded from Section 6 on this page):

- A. "20240905 DR NC ACER public consultation" with ACER's revisions to the EU DSO Entity's and ENTSO-E's proposal for a network code on demand response;
- B. "20240905 EB Regulation amendments DR NC" with ACER's revisions to the Commission Regulation (EU) 2017/2195 establishing a guideline on electricity balancing (Electricity Balancing Regulation);
- C. "20240905 SO Regulation amendments DR NC incl CACM 2.0" with ACER's revisions to the 2 Commission Regulation (EU) 2017/1485 establishing a guideline on electricity transmission system operation (System Operation Regulation); and
- D. "20240905 NC DC 2.0 amendments DR NC" with ACER's revisions to the Commission Regulation (EU) 2016/1388 establishing a network code on demand connection (Demand Connection Regulation).

In this case, and while providing your suggested amendments in track changes mode, please use as "Author" for your edits the name of the organisation/association/company on behalf of which the survey submission is made ("entity name" in the survey fields). Also, please use this

approach (i.e. uploading a file) to only propose amendments to the text, NOT for providing comments, as the comments should only be submitted through the survey fields. Correspondingly, the survey fields should NOT be used for proposing amendments to the text. In case of submissions that do not respect any of the above rules, they will be rejected and not be taken into consideration. In case of questions on the public consultation you may send a request for clarification to ACER-ELE-2024- 008@acer.europa.eu.

4. Identification data and confidential information

Name of entity

Name of the respondent

Email

Country of the entity's seat Belgium

Activity: End-user (or association) Distribution network operator (or association

Does your submission into this consultation contain confidential information? No

5. Publication of responses and privacy

The Agency will publish all non-confidential responses, and it will process personal data of the respondents in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, taking into account that this processing is necessary for performing the Agency's consultation task. For more details on how the contributions and the personal data of the respondents will be dealt with, please see the specific privacy statement attached to this consultation. I confirm having read the Data Protection Notice

6. Consultation documents

7. Related documents

DR NC Articles 1-18 (Title I)

What is your general opinion on the following Articles of ACER's revisions to the EU DSO Entity's and ENTSO-E's proposal for a network code on demand response?

Opinion table

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
Article 1			X			
Article 2	X				X	
Article 3			X			
Article 4			X			
Article 5			X			
Article 6			X			
Article 7			X			

Article 8		X				
Article 9			X			
Article 10			X			
Article 11			X			
Article 12						
Article 13			X			
Article 14			X			
Article 15			X			
Article 16			X			
Article 17			X			
Article 18			X			

If you wish, please explain your answers in the comment table below.

	Comment
Article 1	§3 automatically adds CDSOs to the DSOs, but this will lead to a number of articles and titles where they will have to be excluded in order to avoid unnecessary/undue (costly) obligations (see below for the respective articles)
Article 2	According to IFIEC Europe, all definitions should be revised to bring them in line with a.o. the definitions and concepts used in the other Network Codes and Directives and Regulations, in order to allow for a correct mapping of obligations. For example (non-exhaustive list) the definitions of <i>accounting</i> point and connection <i>agreement</i> point do not exist in other legislation and will lead to confusion on the scope of application. IFIEC Europe is also of the opinion that a rebound effect and compensation effect do not necessarily exist in all situations, which could be included in the definitions as “rebound/compensation effect means, <i>insofar applicable</i> , the alteration ...”
Article 3	
Article 4	
Article 5	IFIEC Europe wants to refer to its previous comments on the notion of “All system operators”, as this includes also all CDSOs and in none of the Member States (to IFIEC’s knowledge) any association exists which represents all system operators (including CDSOs) which could create issues to propose common national terms and conditions within the foreseen deadlines.

Article 6	IFIEC Europe refers to its comments on the TSO-DSO and DSO-DSO coordination below and the specific position for CDSOs
Article 7	IFIEC Europe takes notice for §2 that is mentioned “System operators” and not “All system operators”, thus this imply that each of them, including CDSOs, can individually request amendments to those terms and conditions?
Article 8	This requirement is quite stringent for CDSOs as they do not necessarily maintain a publicly available website for such publishing of national terms and conditions. Moreover, the applicable terms and conditions will presumably be the same as those of the (public) system operators to which they are connected.
Article 9	IFIEC Europe wants to refer to its previous comments on the notion of “All system operators”, as this includes also all CDSOs and in none of the Member States (to IFIEC’s knowledge) any association exists which represents all system operators (including CDSOs) which could create issues to perform public consultations on the common national terms and conditions within the foreseen deadlines, in particular with respect to §2 refer to the joint consideration of all views of the stakeholders.
Article 10	
Article 11	
Article 12	
Article 13	
Article 14	
Article 15	
Article 16	IFIEC Europe wonders to which extent this article could alleviate some of the above concerns, as it is clear that it would be difficult for CDSOs to delegate all their tasks to public system operators in case this would lead to the omission of considerations related to the specific case and conditions of CDSOs.
Article 17	IFIEC Europe wants to stress that, in difference with public system operators, CDSOs can not just recover all costs so easily as their cost structures and corresponding contracts with their grid users are not subject to the same tariff schemes as public system

	operators, as they are not always subject to the same network tariff regulations.
Article 18	

DR NC Articles 19-37 (Titles II, III)

What is your general opinion on the following Articles of ACER's revisions to the EU DSO Entity's and ENTSO-E's proposal for a network code on demand response?

Opinion table

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
Article 19			X			
Article 20				X		
Article 21			X			
Article 22			X			
Article 23			X			
Article 24			X			
Article 25					X	
Article 26		X				
Article 27			X			
Article 28			X			
Article 29			X			
Article 30				X		
Article 31				X		
Article 32			X			
Article 33			X			
Article 34			X			
Article 35			X			
Article 36			X			
Article 37			X			

If you wish, please explain your answers in the comment table below.

	Comment
Article 19	IFIEC Europe wants to refer to its previous comments on the notion of "All system operators", as this includes also all CDSOs and in none of the Member States (to IFIEC's knowledge) any association exists which represents all system operators (including CDSOs) which could create issues to propose common national terms and conditions within the foreseen deadlines.
Article 20	IFIEC Europe wants to refer to its previous comments on the notion of "All system operators", as this includes also all CDSOs and in none of the Member States (to IFIEC's knowledge) any association exists which represents all system operators (including CDSOs) which could create issues to propose common national terms and conditions within the foreseen deadlines.
Article 21	
Article 22	

Article 23	
Article 24	
Article 25	IFIEC Europe strongly supports in art25 (d) (iv) and (v) that is referred to “possible” compensation and rebound effects, as there are cases where such effects do not occur, especially for full load industrial baseload consumers,
Article 26	IFIEC Europe strongly objects to §2, as this would not allow value stacking over different products and/or markets with different service providers, which would create an important and undue lock-in effect and market barrier. IFIEC Europe of course insists that energy should be correctly allocated to the different service providers which would be active during the same activation period on a service delivery point, in order to avoid perimeter issues, but considers the current proposal much too stringent and would insist on its removal. If §2 would be maintained, IFIEC Europe would suggest to rephrase it, e.g. “All energy of controllable units shall be assigned distinctly per activation period to one or several service providers”, in order to ensure that all energy is assigned (thus no perimeter issues) but allowing value stacking through different service providers. In the case of industrial consumers, this could for example entail marketing part of the flexibility directly as well as via one (or more) service providers in different markets and/or products (e.g. balancing, congestion, other ancillary services).
Article 27	
Article 28	
Article 29	IFIEC Europe insists that it is important to identify any possible issues from all relevant system operators, including closed distribution system operators, as it is important that any possible issues regarding a.o. roles and responsibilities are clearly identified and tackled.
Article 30	IFIEC Europe considers the proposed modifications a step in the good direction, but insists that any deadlines should ensure sufficiently short periods for changes to be applicable, and insists that not only should ambitious, yet realistic, deadlines be applied now but that also these should be evaluated regularly in order to see to which extent these can be shortened to allow more flexibility and better market functioning.
Article 31	IFIEC Europe welcomes a.o. the clarification in §2
Article 32	IFIEC Europe considers the proposed modifications a step in the good direction, but insists that any deadlines should ensure sufficiently short periods for changes to be applicable, and insists that not only should ambitious, yet realistic, deadlines be applied now but that also these should be evaluated regularly in order to see to which extent these can be shortened to allow more flexibility and better market functioning. Especially for switching between service providers, IFIEC Europe is adamant that undue too long switching periods could lead to lock-in effects with a negative impact on market functioning
Article 33	IFIEC Europe wants to refer to its previous comments on the notion of “All system operators”, as this includes also all CDSOs and in none of the Member States (to IFIEC’s knowledge) any association exists which represents all system operators (including CDSOs) which could create issues to propose common national terms and conditions within the foreseen deadlines.
Article 34	

Article 35	
Article 36	
Article 37	

DR NC Articles 38-53 (Titles IV, V, VI)

What is your general opinion on the following Articles of ACER's revisions to the EU DSO Entity's and ENTSO-E's proposal for a network code on demand response?

Opinion table

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
Article 38			X			
Article 39				X		
Article 40		X				
Article 41			X			
Article 42			X			
Article 43			X			
Article 44			X			
Article 45			X			
Article 46			X			
Article 47			X			
Article 48			X			
Article 49	X					
Article 50	X					
Article 51	X					
Article 52	X					
Article 53	X					

	Comment
Article 38	
Article 39	<p>IFIEC Europe finds it very important that it remains possible to grant derogations, in particular towards closed distribution grid operators, as the scope of their grids (geographical, number of grid users, type of grid users, ...) is different from public grids, which also would have implications for the procurement of local services (if any at all would be procured), which could lead to the need for derogations of possible over-cumbersome processes (also taking into account that most of these services, if any at all, would be part of overarching contracts with a much broader scope in any case).</p> <p>IFIEC Europe would also suggest to remove §4 or allow the possibility for extensions, as of course the specific scope of CDS operators would not change within such timeframe. Alternatively, a different framework could be put in place for CDSs.</p>
Article 40	IFIEC Europe is puzzled by this article, in particular §2 (a). If "system operators shall not limit the possibility for system users with flexible connection

	agreements to provide balancing and local services” is always applicable, flexible connection agreements would no longer be flexible but would de facto become fixed connection requirements with full redispatching, which could and presumably would become extremely expensive for the grid users who have to pay the grid tariffs (as all redispatch costs would need to be socialized in all different possible situations). IFIEC Europe agrees that system operators should not unduly limit participation of grid users to markets, but the framework of flexible connection agreements, e.g. used because grid investments cannot follow the development and deployment of assets, should also not be hollowed-out completely at the detriment of the tariffs by implicitly making them fixed connection agreements, with high redispatch actions and costs.
Article 41	IFIEC Europe wants to refer to its previous comments on the notion of “All system operators”, as this includes also all CDSOs and in none of the Member States (to IFIEC’s knowledge) any association exists which represents all system operators (including CDSOs) which could create issues to propose common national terms and conditions within the foreseen deadlines.
Article 42	IFIEC Europe has an issue with a.o. §7 and §8 as these might not be relevant for closed distribution systems and their operators, in particular §8 which could undermine a.o. the deployment of production assets (including cogeneration, renewable generation, storage, ...) by industrial companies who also happen to be closed distribution system operators, or alternatively prohibit them completely to operate a market for local services in their grids. IFIEC Europe insists that a solution is found to avoid such negative effects.
Article 43	
Article 44	
Article 45	
Article 46	
Article 47	
Article 48	
Article 49	IFIEC Europe has a fundamental problem with this article, as it prohibits closed distribution system operators to own and operate storage facilities except under very stringent requirements. While IFIEC Europe understands and supports these rules for public system operators, it should be clear that these are not fit for purpose for application towards closed distribution system operators, the latter being in the first place (industrial) grid users who also have to provide extra services to their grid users. Moreover, closed distribution system operators can arise overnight as an industrial site can a.o. allow a new grid user to locate on the same geographical site or there can be a carve-out of the company, which would then even lead to the situation that an existing storage facility predating any such event would overnight no longer be in line with the applicable legislation. IFIEC Europe is adamant that this article is adapted to reflect that reality in particular to avoid that certain grid users would not have a level-playing field to develop flexibility, at the detriment of market functioning, grid security and even the overarching long term goals of the European Union.
Article 50	IFIEC Europe has a fundamental problem with this article, as it prohibits closed distribution system operators to own and operate storage facilities except under very stringent requirements. While IFIEC Europe understands and supports these rules for public system operators, it should be clear that these are not fit

	<p>for purpose for application towards closed distribution system operators, the latter being in the first place (industrial) grid users who also have to provide extra services to their grid users. Moreover, closed distribution system operators can arise overnight as an industrial site can a.o. allow a new grid user to locate on the same geographical site or there can be a carve-out of the company, which would than even lead to the situation that an existing storage facility predating any such event would overnight no longer be in line with the applicable legislation. IFIEC Europe is adamant that this article is adapted to reflect that reality in particular to avoid that certain grid users would not have a level-playing field to develop flexibility, at the detriment of market functioning, grid security and even the overarching long term goals of the European Union.</p>
Article 51	<p>IFIEC Europe has a fundamental problem with this article, as it prohibits closed distribution system operators to own and operate storage facilities except under very stringent requirements. While IFIEC Europe understands and supports these rules for public system operators, it should be clear that these are not fit for purpose for application towards closed distribution system operators, the latter being in the first place (industrial) grid users who also have to provide extra services to their grid users. Moreover, closed distribution system operators can arise overnight as an industrial site can a.o. allow a new grid user to locate on the same geographical site or there can be a carve-out of the company, which would than even lead to the situation that an existing storage facility predating any such event would overnight no longer be in line with the applicable legislation. IFIEC Europe is adamant that this article is adapted to reflect that reality in particular to avoid that certain grid users would not have a level-playing field to develop flexibility, at the detriment of market functioning, grid security and even the overarching long term goals of the European Union.</p>
Article 52	<p>IFIEC Europe in this context also wants to highlight the specific cases of the closed distribution system operators, for whom the development of full-fledged distribution network development plans would be an unreasonable and disproportionate administrative and economic burden.</p> <p>e.g. §2 on public consultations and the resulting further obligations related to this would lead to such a disproportionate burden. The same applies towards §5 where such coordination would also create undue additional administrative burdens. §6 also creates issues as closed distribution system operators do not operate in a similar way as public system operators, as the limited number of their grid users often leads to such information being shared via other means than their websites, often also covered by contractual obligations on any collaboration regarding the development of the related grids.</p>
Article 53	<p>IFIEC Europe in this context also wants to highlight the specific cases of the closed distribution system operators, for whom the development of full-fledged distribution network development plans would be an unreasonable and disproportionate administrative and economic burden.</p>

What is your general opinion on the following Articles of ACER's revisions to the EU DSO Entity's and ENTSO-E's proposal for a network code on demand response?

Opinion table

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
Article 54		X				
Article 55		X				
Article 56		X				
Article 57			X			
Article 58			X			
Article 59			X			
Article 60			X			
Article 61			X			
Article 62				X		
Article 63	X					
Article 64			X			
Article 65			X			
Article 66			X			

	Comment
Article 54	<p>IFIEC Europe in this context also wants to highlight the specific cases of the closed distribution system operators, for whom the development of full-fledged coordination efforts would be an unreasonable and disproportionate administrative and economic burden, especially taking into account the limited geographical scope and the nature and number of their grid users. IFIEC Europe is nevertheless adamant that coordination should be ensured between closed distribution system operators and public grid operators, but this can presumably be done via a framework that is less stringent and cumbersome.</p>
Article 55	<p>IFIEC Europe in this context also wants to highlight the specific cases of the closed distribution system operators, for whom the development of full-fledged coordination efforts would be an unreasonable and disproportionate administrative and economic burden, especially taking into account the limited geographical scope and the nature and number of their grid users. IFIEC Europe is nevertheless adamant that coordination should be ensured between closed distribution system operators and public grid operators, but this can presumably be done via a framework that is less stringent and cumbersome.</p> <p>Regarding a.o. §3 (b), IFIEC Europe wants to refer to the obligation to announce on the public website of the DSO to be not necessarily useful for closed distribution system operators.</p> <p>§4 also could specifically create an unnecessary, unproductive and cumbersome burden for closed distribution system operators, without necessarily providing much added value.</p>

Article 56	IFIEC Europe in this context also wants to highlight the specific cases of the closed distribution system operators, for whom the development of full-fledged coordination efforts would be an unreasonable and disproportionate administrative and economic burden, especially taking into account the limited geographical scope and the nature and number of their grid users. IFIEC Europe for example wonders about the added value of §2 for closed distribution system operators, as in most if not all cases such approach would be overkill for them.
Article 57	
Article 58	IFIEC Europe in this context also wants to highlight the specific cases of the closed distribution system operators, for whom the development of full-fledged coordination efforts would be an unreasonable and disproportionate administrative and economic burden, e.g. related to §2 (a) as this would presumably for them lead an undue burden which could in the most extreme cases even jeopardize their own grid security in case they would not be able to comply with the burdensome procedures in time.
Article 59	IFIEC Europe wants to stress the importance of this article for closed distribution system operators, as in their role of relevant system operators they will need to receive or submit the relevant data regarding their grid users, and should thus be included in all relevant data flows.
Article 60	
Article 61	
Article 62	IFIEC Europe is most adamant that §2 (currently not yet completed) foresees at least possibilities for closed distribution system operators to be exempted from a wide range of irrelevant and unduly cumbersome requirements (see also the above comments), in order to fully take into account their specific situation as primarily grid users and only secondarily being also system operators for their underlying grid users, limited in scope and number and type. In this context IFIEC Europe also strongly wants to object to §6 which limits any derogation to only once and for maximum two years, as this would not solve the specific issues for closed distribution system operators and would in itself create myriad new problems. IFIEC Europe is in any case of the opinion that derogations are not lightly granted by the relevant regulatory authorities and that this avenue should remain available to ensure that also any currently not considered issues and cases can adequately be handled without each time requiring a modification of this Network Code. IFIEC Europe thus strongly objects to §6 as to stringent and not forward looking.
Article 63	
Article 64	
Article 65	
Article 66	

Revisions to Electricity Balancing (EB), System Operation (SO) and Demand Connection (DC) Regulations

What is your general opinion on ACER's revisions to the Electricity Balancing (EB), System Operation (SO) and Demand Connection (DC) Regulations (per topic)?

EB Regulation: Revision topics & related articles

- Topic 1. Functions and responsibilities: Articles 15-18
- Topic 2. Requirements for standard products: Articles 25 and 62
- Topic 3. Settlement of balancing energy: Articles 45 and 49
- Topic 4. Imbalance settlement: Articles 52 and 54
- Topic 5. Financial transfer and compensation: Article 55A SO & DC Regulations: Revision topics & related articles
- Topic 6. Moving provisions regarding demand units providing demand response from DC Regulation to SO Regulation: Articles 2, 52, 53, 54, 56, 81, 105, 107, 127, 154 and 156 (SO Regulation) / Articles 27-33, 41 and 45 (DC Regulation)
- Topic 7. Consistency with demand response network code provisions regarding data exchange between TSOs and DSOs, in line with the DSO observability area: Articles 40, 51 (SO Regulation)
- Topic 8. Consistency with demand response network code provisions regarding grid prequalification and temporary limits: Article 182 (SO Regulation)
- Topic 9. Moving provisions regarding data exchange from system users from demand response network code to SO Regulation: Article 53 (SO Regulation)

Opinion table

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
Topic 1			X			
Topic 2				X		
Topic 3			X			
Topic 4			X			
Topic 5	X					
Topic 6				X		
Topic 7			X			
Topic 8			X			
Topic 9			X			

	Comment
Topic 1	<p>IFIEC Europe strongly supports the addition of Art.25 §7 to minimize the bid granularity, in order to remove this as a potential barrier for entry.</p> <p>Even though not strictly related to this topic, IFIEC Europe strongly supports the modification to Art.3 (f) stipulating clearly that this entails all electricity markets.</p>
Topic 2	
Topic 3	
Topic 4	
Topic 5	<p>IFIEC Europe has a fundamental problem with the current proposal for Art.55A. While it is important to ensure a correct remuneration and allocation of each involved party, it is of the utmost importance to ensure for §§2-5 that any compensation (financial or other) is only given to the extent that no compensation is already foreseen under the schemes foreseen in §1 (or other articles), and this to avoid as a principle any double remuneration of suppliers</p>

	<p>and/or BRPs, as any alternative solution would greatly undermine the business cases of flexibility providers and thus strongly jeopardize the development of flexibility and in particular demand response.</p> <p>IFIEC Europe nevertheless insist that all involved parties are duly covered for their risk exposure. This also implies that suppliers and their BRPs who have signed forward contracts at a given price and given conditions should not be compensated beyond their exposure in relation to this price and conditions, all additional revenue should fall towards the flexibility providers (and/or their BSPs).</p>
Topic 6	Concerning Art.53, IFIEC Europe strongly supports the approach where CDSOs are mentioned separately in §1, and treated in essence as other grid users and not (merely) as DSOs.
Topic 7	<p>IFIEC Europe strongly supports the addition to Art.40 §10.</p> <p>Concerning Art51 §2, IFEC Europe can only support this insofar the issues mentioned above related to this topic in the NC DR are also resolved, in particular regarding closed distribution system operators.</p>
Topic 8	
Topic 9	

General consultation topics and questions

1. Topic 1: Level of harmonisation The aim of the new rules on demand response is to enable the participation of demand response including load, energy storage and distributed generation (individually or aggregated) in all electricity markets, contributing to market integration, non-discrimination, effective competition and the efficient functioning of the market. However, respecting the principle of proportionality, the new rules should not go beyond what is necessary to achieve this purpose. Following the requirements of the framework guideline, ACER tried to revise the proposal to achieve this balance, through the establishment of national TCMs, which will be further harmonised through European methodologies in the future.

Consultation questions

- 1. Do you see any harmonisation requirements of the framework guideline not being covered by the demand response network code articles or the amendments to the existing regulations? **Yes**
- 1.1 Please provide the respective framework guideline paragraph numbers. (note: please do not include here requirements of the framework guideline that are not fully addressed in the network code, as this can be added as a comment in the respective article's comment box)
 - *IFIEC Europe wants in this context refer to its above comments on definitions and their aligned with other network codes, guidelines and*

regulations, as well as the above comments on CDSOs and their particular situation.

- 2. Do you see any areas of the demand response network code where stronger requirements are needed when it comes to harmonisation? **No**
 - 2.1 Please name the top three areas, providing comments on the direction of the harmonisation.
 - *For IFIEC Europe, harmonization is not the ultimate end goal, better market functioning and market integration across Europe is. If this can be achieved by harmonization, this is welcome, but it should be avoided that, because of a goal of harmonization, current existing and applied demand response practices would become non-compliant and abolished. IFIEC Europe is adamant that the NC DR should at least ensure the current status quo and hopefully improve the situation for flexibility across Europe, even if the latter would not ensure full harmonization in the near future.*
2. Topic 2: Structure of terms and conditions or methodologies As presented in Section 9.2 of the attached note on public consultation on DR NC, in the revised network code, ACER opted for splitting the various national TCMs, although the intention of the framework guideline was to have less TCMs. ACER considers that this merging should be the final goal, as it ensures higher consistency between the different TCMs and is beneficial for all involved parties: both administratively (development and approval of the respective proposal) and content wise (involvement of the stakeholders and implementation). Therefore, ACER considers potential merging and asks for the stakeholders' views on that.

Consultation questions

- 3. Do you see benefit in further merging the different national TCMs? **No**
 - 3.1 Please provide your suggestions and reasoning.
 - *For IFIEC Europe, harmonization is not the ultimate end goal, better market functioning and market integration across Europe is. If this can be achieved by harmonization of national TCMs, this is welcome, but it should be avoided that, because of a goal of harmonization, current existing and applied demand response practices would become non-compliant and abolished. IFIEC Europe is adamant that the NC DR should at least ensure the current status quo and hopefully improve the situation for flexibility across Europe, even if the latter would not ensure full harmonization in the near future.*
 - 4. Do you consider that some topic should be addressed in a different national TCM? **No**
 - 4.1 Please provide your suggestions and reasoning.
 - *See answer to question 3*
3. Topic 3: Amendments to existing regulations As mentioned in Section 9.3 of the attached note on public consultation on DR NC, ACER agrees with some of the system operators' proposed amendments to existing regulations, but further assesses the full package, especially the amendments proposed by ENTSO-E alone. Although the stakeholders are invited to submit their views on the specific amendments proposed by ACER in the respective parts of the survey, below you are also invited to submit more

general views on the amendment to existing regulations, as part of the new rules on demand response in the context of this process.

Consultation questions

- 5. Do you see additional amendments needed in the System Operation Regulation? **No**
- 5.1 Please specify the areas.
 - *IFIEC Europe at this time has not yet the opportunity to provide a full overview of potentially needed changes to the SOGL. This does however not mean that no future changes should be brought to the SOGL, in particular also to topics not directly related to demand response.*
- 6. Do you see additional amendments needed in the Electricity Balancing Regulation? **No**
- 6.1 Please specify the areas.
 - *IFIEC Europe at this time has not yet the opportunity to provide a full overview of potentially needed changes to the EBGL. This does however not mean that no future changes should be brought to the EBGL, in particular also to topics not directly related to demand response.*
- 7. Title III of the DR NC covers the qualification of service providers, SPUs and SPGs, for balancing and local services procured in accordance with a market-based mechanism. Do you consider that part(s) of Title III should be transferred in another regulation? **No**
- 7.1 If yes, which part(s) and in which regulation?
 - *IFEC Europe at this point has not yet had the opportunity to do a full scale analysis on this topic.*