

STAKEHOLDER ADVISORY GROUP ON THE BALANCING NETWORK CODE

Draft Terms of reference

Purpose of the group

The Balancing stakeholder group will:

- Provide advice to ENTSO-E on matters solely related to the Balancing code.
- Provide a coordinated forum through which issues related to Balancing are communicated and shared.
- Be the umbrella group for stakeholder engagement on issues related to the Balancing code.

ENTSO-E shall not be legally bound to accept any suggestion provided by any stakeholder. ENTSO-E remains the sole party legally responsible for the development of network codes. Consistent with article 10(3) of Regulation 714/2009, ENTSOE will however indicate how the observations received by the stakeholders have been taken into consideration, and will provide reasons where observations have not been taken into account in the development of the network codes.

As a part of the stakeholder advisory group, ENTSO-E might decide to organize workshops on specific issues when needed and/or having bilateral contacts with individual stakeholders. All Stakeholders will be informed about the plans for and conclusions of these communications.

Membership

The group shall comprise a maximum of two invited members from key stakeholder organizations which will express their interest to participate to the group.

The following organizations may choose to attend as observers:

- The European Commission
- ACER
- CEER (representing National Regulatory Authorities)

Role of participants

Invited participants shall commit to:

- Consistently attend meetings (with a stable membership).
- Actively participate in meetings.
- Liaise with their members and stakeholders to update on the process of code development and represent their views and concerns.
- Highlight issues and concerns as early as practicable.

Role of ENTSO-E

ENTSO-E shall commit to:

- Act in an open and transparent manner to update the market regarding aspects of network code development.
- Provide information to facilitate participant's understanding and advice on aspects of the code.
- Provide substantive documents (i.e. drafts) at least 2 weeks prior to a meeting date and working documents at least 1 week before.

Publication of Information

Consistent with Article 10.2 of Regulation 714/2009 all information related to the stakeholder group will be made publically available via the ENTSO-E website.

It is recognized that all information shall be treated as work in progress and shall be provided without prejudice to the right of participants to update or amend their positions and to respond to formal consultations as they see fit.

Records of meetings

- ENTSO-E shall produce a minute of each meeting which accurately reflects discussions.
- Participants shall be provided with a week in which to comment on minutes.
- Comments received, when justified, shall be incorporated into a final version of the minute which shall be published.
- In the event that no comments are received the minutes shall be deemed to be approved.

Frequency of meetings

- As a general rule, the group will meet on a bi-monthly basis.