

To the attention of:

Mr. Klaus-Dieter Borchardt  
European Commission  
DG ENER  
Directorate B – Internal Energy Market  
DM 24  
B-1049 Brussels/ Belgium

Cc:  
Ms. Inge Bernaerts  
European Commission  
DG ENER  
Directorate B – Internal Energy Market  
DM 24  
B-1049 Brussels/ Belgium

ENTSO-E details as registered organization:  
European Network Transmission System Operators for Electricity (ENTSO-E)  
Avenue de Cortenbergh, 100  
1000 Brussels, Belgium  
ID number: 02207557481-49

**Subject: Establishment of the annual priority list for the development of network codes and guidelines for 2014 and beyond**

Dear Mr. Borchardt,  
Dear Mrs. Bernaerts,

ENTSO-E welcomes the launch by the EC of the public consultation on the draft annual priority list for the development of network codes and guidelines for 2014 and beyond.

ENTSO-E considers as appropriate the pragmatic approach suggested in the document, focussing on work which is currently underway towards the completion of the internal energy market by 2014 and recognising the resource constraints caused by the existing considerable workload.

ENTSO-E shares the view that the amount of work will continue to be significant in both 2013 and 2014 and would like to stress that work on network codes does not end when codes are adopted: in many cases, this moment will trigger further effort mostly related to its implementation. This specific aspect should be acknowledged by the EC when planning the priority list as this phase is as important as the work on network code itself and requires also resources.

### Specific comments

ENTSO-E is seriously concerned about the current formulation of the future work on tariffs/incentives leaving the incentives measures out of the priority list for 2014. ENTSO-E considers that in order to allow the transmission infrastructure required to meet the EU policy goals to be developed in a timely manner, a framework recognising the particular financial needs of TSOs needs to be created. As the tariffs and incentive codes/guidelines was an item already part of the priority list for 2013, trilateral scoping work has started between ENTSO-E, ACER and the EC, as agreed by the Planning Group in May 2012. ENTSO-E has developed ideas which had been discussed in this scoping phase and intends to bring soon new proposals on a possible framework incentivizing investments: an ENTSO-E position paper on Incentivizing European Investments in Transmission Networks will be released end of May.

Konstantin Staschus  
Secretary-General

Tel +32 2 741 09 55  
Fax+32 2 741 09 51  
konstantin.staschus@entsoe.eu

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The draft priority list being consulted refers to the process set up by the new TEN-E Regulation (published on 25 April 2013) by which the EC may issue guidelines in case it considers that the methodology to be published by 31 March 2014 by the NRAs on the basis of best practice recommendations from ACER is not sufficient to ensure the timely implementation of projects of common interest.

Relying on the potential launch of an EC proposal in more than one year endangers the efficiency of the entire TEN-E Regulation which requires, in our view, the swift adoption of measures on incentives. ENTSO-E therefore advocates strongly in favour of pursuing the current work initiated so that adoption of concrete measures by the EC can start during 2014.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'K. Staschus', with a long horizontal stroke extending to the right.

Konstantin Staschus, Ph.D.  
Secretary-General  
ENTSO-E