
**Regional Specific Annex for CCR South West Europe to the
Harmonised Allocation Rules for long-term transmission
rights in accordance with Article 52 of Commission Regulation
(EU) 2016/1719 of 26 September 2016 establishing a Guideline
on Forward Capacity Allocation**

5 September 2018

All TSOs of the CCR South West Europe, taking into account the following,

Whereas

- (1) This document is the common proposal developed by the Transmission System Operators of the CCR South West Europe (hereafter referred to as “TSOs”) as defined in the decision No 06/2016 of the Agency for the Cooperation of Energy Regulators of 17 November 2016 pursuant to Article 15(1) of the Commission Regulation (EU) 2015/1222.
- (2) This common proposal sets out specific requirements applicable to the CCR SWE at regional and bidding zone border level pursuant to Article 52(3) of Commission Regulation (EU) 2016/1719 establishing a guideline on Forward Capacity Allocation (hereafter referred to as the “FCA Regulation”).
- (3) This document constitutes an Annex to the proposal of the harmonised allocation rules for long-term transmission rights on EU level (hereafter referred to as “HAR”) in accordance with Article 51 of the FCA Regulation.
- (4) This proposal includes the following titles:
 - a. The first title covers general provisions of the proposal;
 - b. The second title addresses the applicability of a cap on compensations for curtailments in accordance with Article 59 of the HAR;
 - c. The third title details further regional or bidding zone border specificities applicable to the CCR SWE in accordance with Article 52(3) of the FCA Regulation.
- (5) In accordance with Article 6 of the FCA Regulation, proposals at regional level should be submitted to consultation at least at regional level. Accordingly, this regional annex has been consulted for a period of not less than a month (namely 10 September until 9 October).
- (6) This proposal replaces the former border or regional specific Annexes to the HAR proposal and the information on the applicability of the cap as contained in the former Annex 1 to the HAR proposal.
- (7) This proposal is submitted for the approval of all National Regulatory Authorities (hereafter referred to as the “NRAs”) of the CCR South West Europe
- (8) TSOs understand that for the purposes of the approval or the future amendment of bidding zone border specific requirements of this proposal, only the NRAs of the respective bidding zone border will have to state their explicit approval. Non-concerned NRA(s) of the CCR will be duly informed.

SUBMIT THE FOLLOWING PROPOSAL TO ALL REGULATORY AUTHORITIES OF THE SOUTH WEST EUROPE CAPACITY CALCULATION REGION

TITLE 1

General provisions

Article 1

Subject matter and scope

1. In accordance with Article 4 of the Allocation Rules for Forward Capacity Allocation, regional or border specificities may be introduced for one or more Bidding Zone borders. Rules described in this regional specific annex apply to the borders of the CCR South West Europe.
2. This annex is effective at the date of entry into force of the Allocation Rules subject to an approval of the relevant National Regulatory Authorities. In case this annex needs to be amended based on a decision of the relevant National Regulatory Authorities, Article 68 of the Allocation Rules shall apply.
3. If there is an inconsistency between any of the provisions in the main body of the Allocation Rules and this annex, the provisions in this annex shall prevail. The capitalised terms used in this annex are defined in the harmonised Allocation Rules to which this annex is attached.

TITLE 2

Cap on compensation

Article 2

Bidding zone borders where cap is applicable

1. For the purposes of this proposal and the HAR, a cap on compensation shall only apply to the bidding zone borders listed in the present Title.

Article 3

France-Spain Interconnection

1. A cap on compensation shall be applicable to the France-Spain Interconnexion, in accordance with Article 59(2).

Article 4

Portugal-Spain Interconnection

1. A cap on compensation shall be applicable to the Portugal-Spain Interconnexion, in accordance with Article 59(2) of the HAR.

TITLE 3

Further regional or bidding zone border specific requirements

Article 5

Specificities for the France-Spain Interconnection

1. In deviation to Article 38.2, Returned Long Term Transmission Rights shall be either a constant band of whole MW(s) over the specific timeframe of the subsequent Auction or a constant value of whole MW(s) during the days out of the Reduction Period(s). This second case applies only if the Long Term Transmission Rights to be returned at a subsequent Auction contain exactly the same Reduction Period(s) as the ones of the subsequent Auction itself.

Article 6
Specificities for the Portugal-Spain Interconnection

1. In deviation to Article 38.2, Returned Long Term Transmission Rights shall be either a constant band of whole MW(s) over the specific timeframe of the subsequent Auction or a constant value of whole MW(s) during the days out of the Reduction Period(s). This second case applies only if the Long Term Transmission Rights to be returned at a subsequent Auction contain exactly the same Reduction Period(s) as the ones of the subsequent Auction itself.