Annex 11 to the harmonised Allocation Rules for Forward Capacity Allocation

Border specific annex for the border Portugal-Spain

Article 1

Subject-matter and scope

1. In accordance with Article 4 of the Allocation Rules regional or border specificities may be introduced for one or more Bidding Zone borders. Rules described in this border specific annex apply to the border Portugal-Spain.

2. Financial Transmission Rights Options (FTRs) is the product allocated at the border Portugal-Spain.

3. **OMIP** – OMIP Pólo Português, S.G.M.R,S.A. acts as Allocation Platform and **OMICLEAR** – OMICLEAR, C.C., S.A. acts as Central Counterparty (CCP).

4. 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. This annex may be reviewed yearly by the 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.

Article 2

Portugal – Spain Border specificities

1. The following definitions are added:

   Central Counterparty (CCP)**:** means a legal person that interposes itself between the counterparties of the FTRs traded, becoming the buyer to every seller and the seller to every buyer

   Offer: means a pair of ask Quantity and ask Price offered by a Registered Participant participating in an Auction;

2. The Participation Agreement signature requirements are modified based on specific Allocation Platform and Central Counterparty (CCP) Rules. Articles 6 and 9 are affected by those additional requirements.
3. Collaterals, Invoicing and Payment are subject to specific Central Counterparty (CCP) Rules, which affect articles 12, 19 to 26 (Chapter 3 Collaterals), 34, and 62 to 67 (Chapter 10 Invoicing and payment).

4. The standard timeframes of products that could be offered in the Portugal-Spain border are yearly, quarterly and monthly timeframes, which affects article 28, as interim approach until the provisions regarding allocation timeframes of the Commission Regulation establishing a guideline on forward capacity allocation become applicable.
5. Auction Results determination is regulated by the specific Allocation Platform Rules, which affects Articles 35, 36 and 37.
6. The Return of Long Term Transmission Rights is substituted by a secondary market of Long Term Transmission Rights with price indication. It implies that Participants that hold Long Term Rights previously acquired can submit Offers as long as the quantity offered is equal or lower than the amount of Long Term Transmission Rights held by each Participant, which affects Articles 38, 39 and 40.
7. The transfer of Long Term Transmission Rights is regulated by specific Allocation Platform Rules. Articles 42 and 43 are affected accordingly, and the transfer of Long Term Transmission Rights is included in the scope of the process of bilateral transactions registration, which is defined in the Allocation Platform rules.
8. In case of secondary market, the Allocation Platform may charge the access to the Auction Tool. This provision affects the article 16.
9. The events for curtailment on Long Term Transmission Rights are only due to Force Majeure according with the rules previously in force for this border before the entry into force of these HAR. Therefore, for articles 56 to 61 only the applicable provisions are those related to Force Majeure situation.
10. Due to the particular role of the Allocation Platform and the Central Counterparty (CCP) and their specific applicable rules, Articles 69 to 75, 78 and 80 are affected accordingly.
11. The articles and points listed below are not applicable for the Portugal-Spain border:
    a. Article 11;
    b. Article 12;
    c. Article 33;
    d. Article 48, point 2;
    e. Article 76, point 3.
12. References to Allocation Platform and Central Counterparty (CCP) Rules and to National Regulation in each Bidding Zone:
    a. All rules are available on the Allocation Platform and Central Counterparty (CCP) websites, in English, Portuguese and Spanish which include namely:
        i. OMIP General Contractual Clauses – FTR Base Contracts;
        ii. Circular OMIP 1/2013 - Financial Capacity Rights on Interconnection between Portugal and Spain;
        iii. Circular OMICLEAR B15/2013 – Particular Conditions of FTR Contracts;
        iv. Notice OMIP 06/2006 - Rules for the determination of electricity indices.
    b. “Regulamento de Acesso às Redes e às Interligações”, aproved by ERSE.
    c. “Manual de Procedimentos do Mecanismo de Gestão Conjunta da Interligação Portugal-Espanha”, approved by ERSE.

d. “Circular 2/2014, de 12 de marzo, de la Comisión Nacional de los Mercados y la Competencia, por la que se establece la metodología relativa al acceso a las infraestructuras transfronterizas, incluidos los procedimientos para asignar capacidad y gestionar la congestión, así como la metodología relativa a la prestación de servicios de equilibrio entre sistemas gestionados por distintos operadores del sistema”, approved by the CNMC.