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AGREEMENT OF THE CORE REGULATORY AUTHORITIES

on

THE FIFTH AMENDMENT OF THE INTRADAY CAPACITY CALCULATION METHODOLOGY OF THE CORE CAPACITY CALCULATION REGION

**in accordance with Article 20ff of the Commission
Regulation (EU) 2015/1222 of 24 July 2015 establishing
a guideline on capacity allocation and congestion
management as amended by Commission implementing
regulation (EU) 2021/280 of 22 February 2021**

26 May 2026

1. INTRODUCTION AND LEGAL CONTEXT

This document elaborates an agreement of the Core Regulatory Authorities (hereafter: “Core NRAs”), agreed on 26 May 2026 at the Core Energy Regulators’ Regional Forum (hereafter: “CERRF”) on the Core Transmission System Operators’ (hereafter: “Core TSOs”) proposal for the fifth amendment of the Intraday Capacity Calculation Methodology of the Core Capacity Calculation Region (hereafter “Core ID CCM 5th amendment proposal”) in accordance with Article 20ff of the Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a guideline on capacity allocation and congestion management as modified by Commission Implementing Regulation (EU) 2021/280 of 22 February 2021 amending Regulations (EU) 2015/1222, (EU) 2016/1719, (EU) 2017/2195 and (EU) 2017/1485 in order to align them with Regulation (EU) 2019/943 (hereafter “CACM Regulation”).

Pursuant to Article 9(7) of the CACM Regulation, Core TSOs submitted an amended proposal. This proposal was received by the last regulatory authority on 14 January 2026.

Article 9(10) of the CACM Regulation requires Core NRAs to consult and closely cooperate and coordinate with each other in order to reach an agreement and make a decision within six months following receipt of submission of the proposal to the last Core NRA. A decision is therefore required to be made by Core NRAs by 14 July 2026 at the latest. However, in order to allow the prolongation of Polish allocation constraints and the use of ATC-based validation after end-May 2026, a decision is required to be made before June 2026.

This agreement of all Core NRAs (ACM, AGEN-RS, ANRE, BNetzA, CRE, CREG, CRU, E-Control, ERU, HERA, ILR, MEKH, URE, URSO) shall provide evidence that a decision on the Core ID CCM 5th amendment proposal, does not, at this stage, need to be adopted by ACER pursuant to Article 9(11) of the CACM Regulation. It is intended to constitute the basis on which the Core NRAs will each subsequently issue a national decision to approve the Core ID CCM 5th amendment proposal, pursuant to Article 9(10) of the CACM Regulation.

The legal provisions that lie at the basis of the Core ID CCM 4th amendment proposal, and this Core NRAs’ agreement on the methodology can be found in Articles 3, 9 and 21 of the CACM Regulation, and in Article 5 of the Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators (hereafter: “ACER Regulation”). These articles are set out below for reference.

1.1 CACM Regulation

Article 3

Objectives of capacity allocation and congestion management cooperation

This Regulation aims at:

- (a) promoting effective competition in the generation, trading and supply of electricity;*
- (b) ensuring optimal use of the transmission infrastructure;*
- (c) ensuring operational security;*
- (d) optimising the calculation and allocation of cross-zonal capacity;*
- (e) ensuring fair and non-discriminatory treatment of TSOs, NEMOs, the Agency, regulatory authorities and market participants;*
- (f) ensuring and enhancing the transparency and reliability of information;*

- (g) contributing to the efficient long-term operation and development of the electricity transmission system and electricity sector in the Union;*
- (h) respecting the need for a fair and orderly market and fair and orderly price formation;*
- (i) creating a level playing field for NEMOs;*
- (j) providing non-discriminatory access to cross-zonal capacity.*

Article 9 as amended by Regulation 2021/280

Adoption of terms and conditions or methodologies

1. TSOs and NEMOs shall develop the terms and conditions or methodologies required by this Regulation and submit them for approval to the Agency or the competent regulatory authorities within the respective deadlines set out in this Regulation. In exceptional circumstances, notably in cases where a deadline cannot be met due to circumstances external to the sphere of TSOs or NEMOs, the deadlines for terms and conditions or methodologies may be prolonged by the Agency in procedures pursuant to paragraph 6, jointly by all competent regulatory authorities in procedures pursuant to paragraph 7, and by the competent regulatory authority in procedures pursuant to paragraph 8.

(...)

5. Each regulatory authority or where applicable the Agency, as the case may be, shall approve the terms and conditions or methodologies used to calculate or set out the single day-ahead and intraday coupling developed by TSOs and NEMOs. They shall be responsible for approving the terms and conditions or methodologies referred to in paragraphs 6, 7 and 8. Before approving the terms and conditions or methodologies, the Agency or the competent regulatory authorities shall revise the proposals where necessary, after consulting the respective TSOs or NEMOs, in order to ensure that they are in line with the purpose of this Regulation and contribute to market integration, non-discrimination, effective competition and the proper functioning of the market.

(...)

7. The proposals for the following terms and conditions or methodologies and any amendments thereof shall be subject to approval by all regulatory authorities of the concerned region:

(...)

(e) the proposal for a harmonised capacity calculation methodology in accordance with Article 21(4);

(...)

9. The proposal for terms and conditions or methodologies shall include a proposed timescale for their implementation and a description of their expected impact on the objectives of this Regulation. Proposals for terms and conditions or methodologies subject to the approval by several regulatory authorities in accordance with paragraph 7 shall be submitted to the Agency within 1 week of their submission to regulatory authorities. Proposals for terms and conditions or methodologies subject to the approval by one regulatory authority in accordance with paragraph 8 may be submitted to the Agency within 1 month of their submission at the discretion of the regulatory authority while they shall be submitted upon the Agency's request for information purposes in accordance with Article 3 paragraph 2 of the Regulation (EU) 2019/942 if the Agency considers the proposal to have a cross-border impact. Upon request by the competent regulatory authorities, the Agency shall issue an opinion within 3 months on the proposals for terms and conditions or methodologies.

10. Where the approval of the terms and conditions or methodologies in accordance with paragraph 7 or the amendment in accordance with paragraph 12 requires a decision by more than one regulatory authority, the competent regulatory authorities shall consult and closely cooperate and coordinate with each other in order to reach an agreement. Where applicable, the competent regulatory authorities shall take into account the opinion of the Agency. Regulatory authorities or, where competent, the Agency shall take decisions concerning the submitted terms and conditions or methodologies in accordance with paragraphs 6, 7 and 8, within 6

months following the receipt of the terms and conditions or methodologies by the Agency or the regulatory authority or, where applicable, by the last regulatory authority concerned. The period shall begin on the day following that on which the proposal was submitted to the Agency in accordance with paragraph 6, to the last regulatory authority concerned in accordance with paragraph 7 or, where applicable, to the regulatory authority in accordance with paragraph 8.

11. Where the regulatory authorities have not been able to reach agreement within the period referred to in paragraph 10, or upon their joint request, or upon the Agency's request according to the third subparagraph of Article 5(3) of Regulation (EU) 2019/942, the Agency shall adopt a decision concerning the submitted proposals for terms and conditions or methodologies within 6 months, in accordance with Article 5(3) and the second subparagraph of Article 6(10) of Regulation (EU) 2019/942.

12. In the event that the Agency, or all competent regulatory authorities jointly, or the competent regulatory authority request an amendment to approve the terms and conditions or methodologies submitted in accordance with paragraphs 6, 7 and 8 respectively, the relevant TSOs or NEMOs shall submit a proposal for amended terms and conditions or methodologies for approval within 2 months following the request from the Agency or the competent regulatory authorities or the competent regulatory authority. The Agency or the competent regulatory authorities or the competent regulatory authority shall decide on the amended terms and conditions or methodologies within 2 months following their submission. Where the competent regulatory authorities have not been able to reach an agreement on terms and conditions or methodologies pursuant to paragraph 7 within the 2-month deadline, or upon their joint request, or upon the Agency's request according to the third subparagraph of Article 5(3) of Regulation (EU) 2019/942, the Agency shall adopt a decision concerning the amended terms and conditions or methodologies within 6 months, in accordance with Article 5(3) and the second subparagraph of Article 6(10) of Regulation (EU) 2019/942. If the relevant TSOs or NEMOs fail to submit a proposal for amended terms and conditions or methodologies, the procedure provided for in paragraph 4 of this Article shall apply.

13. The Agency, or all competent regulatory authorities jointly, or the competent regulatory authority, where they are responsible for the adoption of terms and conditions or methodologies in accordance with paragraphs 6, 7 and 8, may respectively request proposals for amendments of those terms and conditions or methodologies and determine a deadline for the submission of those proposals. TSOs or NEMOs responsible for developing a proposal for terms and conditions or methodologies may propose amendments to regulatory authorities and the Agency.

The proposals for amendment to the terms and conditions or methodologies shall be submitted to consultation in accordance with the procedure set out in Article 12 and approved in accordance with the procedure set out in this Article.

14. TSOs and NEMOs responsible for establishing the terms and conditions or methodologies in accordance with this Regulation shall publish them on the internet after approval by the Agency or the competent regulatory authorities or, if no such approval is required, after their establishment, except where such information is considered as confidential in accordance with Article 13.'

Article 21

Capacity calculation methodology

1. The proposal for a common capacity calculation methodology for a capacity calculation region determined in accordance with Article 20(2) shall include at least the following items for each capacity calculation time-frame:

(a) methodologies for the calculation of the inputs to capacity calculation, which shall include the following parameters:

- (i) a methodology for determining the reliability margin in accordance with Article 22;
- (ii) the methodologies for determining operational security limits, contingencies relevant to capacity calculation and allocation constraints that may be applied in accordance with Article 23;

- (iii) the methodology for determining the generation shift keys in accordance with Article 24;
- (iv) the methodology for determining remedial actions to be considered in capacity calculation in accordance with Article 25.

(b) a detailed description of the capacity calculation approach which shall include the following:

- (i) a mathematical description of the applied capacity calculation approach with different capacity calculation inputs;
- (ii) rules for avoiding undue discrimination between internal and cross-zonal exchanges to ensure compliance with point 1.7 of Annex I to Regulation (EC) No 714/2009;
- (iii) rules for taking into account, where appropriate, previously allocated cross-zonal capacity;
- (iv) rules on the adjustment of power flows on critical network elements or of cross-zonal capacity due to remedial actions in accordance with Article 25;
- (v) for the flow-based approach, a mathematical description of the calculation of power transfer distribution factors and of the calculation of available margins on critical network elements;
- (vi) for the coordinated net transmission capacity approach, the rules for calculating cross-zonal capacity, including the rules for efficiently sharing the power flow capabilities of critical network elements among different bidding zone borders;
- (vii) where the power flows on critical network elements are influenced by cross-zonal power exchanges in different capacity calculation regions, the rules for sharing the power flow capabilities of critical network elements among different capacity calculation regions in order to accommodate these flows.

(c) a methodology for the validation of cross-zonal capacity in accordance with Article 26.

2. For the intraday capacity calculation time-frame, the capacity calculation methodology shall also state the frequency at which capacity will be reassessed in accordance with Article 14(4), giving reasons for the chosen frequency.

3. The capacity calculation methodology shall include a fallback procedure for the case where the initial capacity calculation does not lead to any results.

4. All TSOs in each capacity calculation region shall, as far as possible, use harmonised capacity calculation inputs. By 31 December 2020, all regions shall use a harmonised capacity calculation methodology which shall in particular provide for a harmonised capacity calculation methodology for the flow-based and for the coordinated net transmission capacity approach. The harmonisation of capacity calculation methodology shall be subject to an efficiency assessment concerning the harmonisation of the flow-based methodologies and the coordinated net transmission capacity methodologies that provide for the same level of operational security. All TSOs shall submit the assessment with a proposal for the transition towards a harmonised capacity calculation methodology to all regulatory authorities within 12 months after at least two capacity calculation regions have implemented common capacity calculation methodology in accordance with Article 20(5).

1.2. ACER Regulation

Article 5

Tasks of ACER as regards the development and implementation of network codes and guidelines

(...)

3. Where one of the following legal acts provides for the development of proposals for terms and conditions or methodologies for the implementation of network codes and guidelines which require the approval of all the regulatory authorities of the region concerned, those regulatory authorities shall agree unanimously on the common terms and conditions or methodologies to be approved by each of those regulatory authorities:

- (a) a legislative act of the Union adopted under the ordinary legislative procedure;
- (b) network codes and guidelines that were adopted before 4 July 2019 and subsequent revisions of those network codes and guidelines; or
- (c) network codes and guidelines adopted as implementing acts pursuant to Article 5 of Regulation (EU) No 182/2011.
- (...)

6. Before approving the terms and conditions or methodologies referred to in paragraphs 2 and 3, the regulatory authorities, or, where competent, ACER, shall revise them where necessary, after consulting the ENTSO for Electricity, the ENTSO for Gas or the EU DSO entity, in order to ensure that they are in line with the purpose of the network code or guideline and contribute to market integration, non-discrimination, effective competition and the proper functioning of the market. ACER shall take a decision on the approval within the period specified in the relevant network codes and guidelines. That period shall begin on the day following that on which the proposal was referred to ACER.

2. The Core TSOs' proposal

Through the Core ID CCM 5th amendment proposal, the Core TSOs aim to amend the Core Intraday Capacity Calculation Methodology and its subsequent amendments (hereafter: 'the Core ID CCM'), established via the relevant ACER decisions¹ and Core NRAs' decision². With the 5th amendment, Core TSOs aim to extend the deadline for the Polish Allocation Constraints (Article 7 and annex 1) beyond May 2026.

The draft Core ID CCM 5th amendment proposal was consulted by all TSOs of the Core CCR from 15 September 2025 until 15 October 2025 in accordance with the requirements of Article 12 of the CACM Regulation. This public consultation was organized through the ENTSO-E Consultation Platform.

The Core ID CCM 5th amendment proposal consists of several documents:

- The Core ID CCM 5th amendment proposal itself;
- A public consultation report;
- An explanatory document; and
- A clean and a track change (for information) consolidated version of the Core ID CCM.

3. The Core NRAs' position

3.1. Polish allocation constraints

Core NRAs analysed the modifications proposed by the Core TSOs against the requirements of the CACM Regulation and agreed to approve the extension of the application of the Polish allocation constraints by another 2 years.

¹ ACER Decision 02/2019 on the original proposal (February 2019), ACER Decision 06/2022 on the the first amendment (April 2022) and ACER Decision 03/2024 on the second and third amendment (March 2024).

² 9 May 2025 – Approval of the 4th amendment of the intraday capacity calculation methodology aiming at updating the go-live date of IDCC(c), as well as the set a later deadline for the capacity provision of IDCC(c) that would allow the use of a better quality grid model to improve capacities while having a low impact on the market.

3.2. ATC-based validation

Core NRAs noticed that the application of the ATC-based validation in Article 26 of the Core ID CCM in force (4th amendment) would cease by end May 2026. However, this provision was not amended in the Core ID CCM 5th amendment proposal, but was tackled in a Core ID CCM 6th amendment proposal submitted at the very same time.

As Core NRAs decided not to handle both amendments in a same process, due to external constraints linked to the Core DA CCM 4th amendment approval process, Core NRAs decided to amend Article 26(6) to allow the application of the ATC based validation until flow-based is used in intraday auctions.

3.3. Judgment of the General Court of 1 October 2025 in joined cases T-600/23 BNetzA v ACER and T-612/23 Germany v ACER (ECLI:EU:T:2025:927)

This Judgement partially annulled the Board of Appeal Decision A-003-2019_R of 7 July 2023 in so far as that decision adopts Article 5(8)(b) and (c) and Article 5(9).

As ACER was remitted the case by the Board of Appeal, and that ACER intends to issue its decision in June 2026, the Core NRAs didn't modify Article 5 of the Core ID CCM 5th amendment proposal, and added in the whereas section a recital for not doing so.

4. Conclusions

Core NRAs have consulted, closely cooperated and coordinated to jointly reach the agreement to revise the Core ID CCM 5th amendment as presented in the document attached to this position paper. The legal basis for the direct amendments by the Core Regulatory Authorities lies in Article 5(6) of the ACER Regulation and in Article 9(5) of the Regulation 2015/1222 as amended.

Core NRAs will issue their national decisions to approve the Core ID CCM 5th amendment proposal, on the basis of this agreement.

5. Annex

Consolidated fifth amendment of the Intraday capacity calculation methodology of the Core capacity calculation region in accordance with Article 20ff. of the Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a guideline on capacity allocation and congestion management – Track change version – Revised by Core NRAs