



MEMORANDUM

TO Authority for Consumers & Markets

DATE

December 16, 2024

REFERENCE

REG-N 24-045

FROM

SUBJECT Updated advance communication on the use of congestion income TenneT TSO B.V. for the period January 2025 - December 2025

REPORT



DECISION



1. Introduction

TenneT TSO B.V. ("TenneT") provides this report in order to comply with the requirements as defined in the Use of Congestion Income methodology ("UCI methodology") in accordance with Article 19(4) of Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity ("Regulation"). This advance communication is due by October 31, 2024 and it shall concern the use of congestion income for the calendar year 2025. This updated version of the advance communication is submitted to reflect changes in estimates that were included in the initial report (reference: REG-N 24-037) based on the availability of actual data until November 2024.

This report contains the following information:

- Forecast congestion revenues and withdrawals for the period January 1, 2024 – December 31, 2024.
- Forecast congestion revenues and withdrawals for the period January 1, 2025 – December 31, 2025.

As the year 2024 is not yet closed at the issuance date of this report, it is necessary to forecast the expected movements for December 2024 in order to estimate the expected opening balance for the forecast 2025. For this update the November 2024 actuals have been used.

In general it should be noted that it is complicated to provide reliable estimates for future developments on congestion income and its usage. Especially the congestion income itself and the redispatch costs related to critical branches as a cost category for the use of congestion income are subject to a high degree of estimation uncertainty. In this respect TenneT requests specific attention for the information provided in paragraph 2.4.4 of this document.

The (intended) withdrawals from the auction proceeds comply with the purposes mentioned in the Regulation. TenneT also provides a multi-year estimate in this report for the years after 2025: the remaining amount on the separate internal account balance per year end 2025 is expected to be used for redispatch costs related to critical branches and future tariff reductions if the relevant conditions are met.

2. Forecasted congestion revenues and withdrawals for the period January 1, 2025 – December 31, 2025 (including YE 2024 forecast)

2.1 General information

The Foundation for the Management of Allocated Funds from the National High-Voltage Grid (Stichting Beheer Doelgelden Landelijk Hoogspanningsnet) ("The Foundation") is a foundation established under Dutch law for the management of the "allocated funds" received from TenneT in its capacity as administrator of the national transmission grid. These allocated funds comprise proceeds of imbalance settlements (not within scope of this report) and proceeds from market-based allocation of cross-border electricity transfer capacity (including proceeds from explicit or implicit auctions of interconnector capacity). TenneT is not allowed to use the allocated funds for other objectives than those set forth in the Regulation.

In accordance with article 19.2 of the Regulation, congestion revenues shall be used for the following purposes:

2. The following objectives shall have priority with the respect to the allocation of any revenues resulting from the allocation of cross-zonal capacity:

(a) guaranteeing the actual availability of the allocated capacity including firmness compensation; or

(b) maintaining or increasing cross-zonal capacities through optimisation of the usage of existing interconnectors by means of coordinated remedial actions, where applicable, or covering costs resulting from network investments that are relevant to reduce interconnector congestion.

And as stated in article 19.3 of the Regulation:

3. Where the priority objectives set out in paragraph 2 have been adequately fulfilled, the revenues may be used as income to be taken into account by the regulatory authorities when approving the methodology for calculating network tariffs or fixing network tariffs, or both. The residual revenues shall be placed on a separate internal account line until such a time as it can be spent for the purposes set out in paragraph 2.

The allocated funds are invested within the boundaries of the treasury statute of The Foundation when they are temporarily placed on a separate internal account as prescribed in the Regulation. The treasury statute of TenneT Holding B.V. also applies to The Foundation. The statute contains principles which cover specific areas such as interest rate risk, liquidity risk, the use of derivatives, and the investment of excess liquidity. The return on these investments is added to the congestion receipts.

2.2 Overview forecasted congestion revenues and withdrawals

The movement schedule for the congestion revenues during the period January 1, 2024 – December 31, 2025 is included in the overview below:

Omschrijving	Eenheid	2019/943 reference	UCI art. 3.1 reference	2024	2025
Opening balance congestion revenues	EUR			(159.788.403)	(322.277.034)
NorNed					
Plus: transmission right revenues NorNed auction	EUR			(70.400.000)	(40.500.000)
Plus: outcome NorNed bonus-penalty scheme relative availability	EUR			(1.853.631)	(1.920.361)
Minus: contribution TenneT towards auction costs	EUR			-	-
Minus: firmness compensation costs	EUR	19.2a	ii.	-	-
Minus: costs network losses	EUR	19.2a	viii. c)	800.000	700.000
Minus: costs for balancing and reserve power	EUR	19.2a	viii. c)	900.000	800.000
	EUR				
Net addition NorNed	EUR			(70.553.631)	(40.920.361)
Cobra-cable					
Plus: transmission right revenues COBRA auction	EUR			(40.900.000)	(29.500.000)
Minus: contribution TenneT towards auction costs	EUR			-	-
Minus: firmness compensation costs	EUR	19.2a	ii.	1.200.000	1.200.000
Minus: remuneration of non-nominated Long-Term Transmission Rights	EUR	19.2a	iv.	11.600.000	11.600.000
Minus: costs network losses	EUR	19.2a	viii. c)	4.900.000	4.300.000
	EUR				
Net addition Cobra-cable	EUR			(23.200.000)	(12.400.000)
Interconnectors NL-DE					
Plus: transmission right revenues interconnectors NL-DE	EUR			(79.650.000)	(84.450.000)
Minus: contribution TenneT towards auction costs	EUR			600.000	600.000
Minus: firmness compensation costs	EUR	19.2a	ii.	-	-
Minus: remuneration of non-nominated Long-Term Transmission Rights	EUR	19.2a	iv.	29.900.000	29.900.000
	EUR				
Net addition interconnectors NL-DE	EUR			(49.150.000)	(53.950.000)
Interconnectors NL-BE					
Plus: transmission right revenues interconnectors NL-BE	EUR			(60.650.000)	(65.650.000)
Minus: contribution TenneT towards auction costs	EUR			600.000	600.000
Minus: firmness compensation costs	EUR	19.2a	ii.	-	-
Minus: remuneration of non-nominated Long-Term Transmission Rights	EUR	19.2a	iv.	27.200.000	27.200.000
	EUR				
Net addition interconnectors NL-BE	EUR			(32.850.000)	(37.850.000)
Other additions / withdrawals					
Plus: net income from participation TenneT GmbH & Co. KG	EUR			(35.000)	(35.000)
Plus: net addition interest revenues	EUR			(7.900.000)	(7.900.000)
Minus: Overhead costs Stichting Doelgelden	EUR			200.000	200.000
Minus: redispatch critical branches	EUR	19.2a	i.	21.000.000	20.000.000
	EUR				
Net other additions / withdrawals	EUR			13.265.000	12.265.000
Reduction of transmission tariffs					
Minus: congestion revenues used for reduction of allowed revenue for EHS-grid	EUR			-	160.000.000
Part attributed to costs resulting from ongoing investments that are relevant to reduce interconnector congestion	EUR	19.2b	vi.		
Part attributed to costs resulting from past investments that are relevant to reduce interconnector congestion	EUR	19.2b	vii.		
	EUR				
Part used as income taken into account for calculating network tariffs	EUR	19.3		-	160.000.000
Mutation congestion revenues	EUR			(162.488.631)	27.144.639
Closing balance congestion revenues	EUR			(322.277.034)	(295.132.395)

2.3 Disclosures to overview forecasted congestion revenues and withdrawals

2.3.1 Receipts and withdrawals NorNed

Congestion income

In accordance with the ACM decision dated November 14, 2007 (reference: 102746) the capacity of the NorNed cable becomes available for the market through an auction. The congestion revenues are equally divided between TenneT and its counterpart Statnett SF. The TenneT part of these receipts has been added to the congestion revenues since the start of NorNed. The estimated congestion income is based on historical revenues during the period January 2024 to November 2024. After the repair of the outage of the NorNed cable of May 6, 2022 restrictions are applied to sustain the operations. As of October 17, 2022 the NorNed cable has a reduced maximum transmission capacity of 620MW instead of 700MW. In addition, measures are being introduced to reduce intraday flow direction changes. The expected amount for 2024 is EUR 70.4 million which is higher compared to the amount for 2023. The estimated congestion income amounts approximately EUR 40.5 million for 2025. This decrease compared to 2024 is the estimated result of the introduction of Advance Hybrid Coupling ("AHC") in the Nordic region per October 29, 2024 and the CORE region per May 2025.

Energy & capacity expenses

The estimated withdrawal is based on historical costs until November 2024 and an estimate for the remaining part of 2024 and amounts to approximately EUR 1.7 million. For 2025 this amount is expected to decrease to EUR 1.5 million due to a decrease in the electricity price in 2025 compared to 2024. This corresponds to cost category viii c) of article 3.1 of the UCI methodology. These costs are directly related to the priority objectives included in article 19.2a of the Regulation as these are necessary to provide the cross-zonal capacity.

Availability incentive NorNed

In accordance with ACM decision 101783_2-76 TenneT is subject to an incentive on the availability of the NorNed cable compared to predefined limits. If a higher availability is realised TenneT will withdraw an amount with a maximum of approximately EUR 1.9 million from the auction receipts. If a lower availability is realised TenneT will add an amount to the auction receipt with a maximum of approximately EUR 1.9 million. During the period 2018 to 2023 TenneT incurred the maximum malus due to lower availability of the NorNed cable, in the years prior to 2018 incurred the maximum bonus. Due to the restrictions that are applicable since October 17, 2022 the remaining availability will result in the full malus for 2024. As part of the forecast, the full malus is included in 2025 in order to apply a prudent approach.

2.3.2 Receipts and withdrawals COBRA

Congestion income

In accordance with the ACM decision dated October 17, 2019 (reference: ACM/UIT/519787) the capacity of the COBRA cable becomes available for the market through an auction. The congestion revenues are equally divided between TenneT and its counterpart Energinet. The TenneT part of these receipts has been added to the congestion revenues since the start of COBRA. The estimated congestion income for 2024 and 2025 is based on historical revenues during the period January 2024 to November 2024. The estimated congestion income amounts approximately EUR 40.9 million per year for 2024 and EUR 29.5 million for 2025. This decrease compared to 2024 is the estimated result of the introduction of Advance Hybrid Coupling ("AHC") in the Nordic region per October 29, 2024 and the CORE region per May 2025. In this advance communication the gross revenues are reported. As a result the costs for firmness compensation (category ii of article 3.1 of the UCI methodology) and for remuneration of Long-Term Transmission Rights ("LTTR") (category iv of article 3.1 of the UCI methodology) are reported on separate line items in the report. The estimated costs for 2024 and 2025 are based on historical costs during the period January 2024 to November 2024. The estimated total costs amount to approximately EUR 12.8 million per year for 2024 and for 2025.

Energy & capacity expenses

The estimated withdrawal is based on historical costs until November 2024 and an estimate for the remaining part of 2024 and amounts to approximately EUR 4.9 million. For 2025 this amount is expected to decrease to EUR 4.3 million due to a decrease in the electricity price in 2025 compared to 2024. This corresponds to cost category viii c) of article 3.1 of the UCI methodology. These costs are directly related to the priority objectives included in article 19.2a of the Regulation as these are necessary to provide the cross-zonal capacity.

2.3.3 Receipts and withdrawals interconnectors NL-DE and NL-BE

Congestion income

The long term auctions of transmission rights for the interconnectors NL-DE and NL-BE are performed by JAO. The annual and monthly capacity is allocated by means of explicit auctions. At such auctions, the market party acquires long term financial transmission rights. The European transmission system operators have created shared rules governing the explicit auctions for allocating long term monthly capacity. TenneT receives 50% of the congestion revenues on the Belgian and German borders.

The daily capacity is allocated to market parties through an implicit allocation mechanism. The power exchanges and the involved TSOs organise this by means of day-ahead market coupling. Per June 8, 2022

day ahead flow based market coupling was introduced in the Core Capacity Calculation Region. As a result the distribution of the auction proceeds between the involved TSO's, which is performed by JAO, has also been changed. In the methodology used in CWE market coupling the so called "socialization" of LTTR remuneration was used. This meant that the day ahead congestion income is first distributed on borders, then on each border this income is reduced by LTTR remuneration for that border. If the result is negative (net negative congestion income) the missing money is taken from other borders with positive net congestion income. Due to there not being a coordinated process for long term capacity allocation in the Core region yet, a socialization principle as previously known in the CWE region is not yet applied in the Core region. This means that some TSOs may not be able to cover LTTR remuneration obligations for some time frames on their borders from Day Ahead congestion income but they will have to do it from Long Term congestion income or other sources.

The estimated congestion income for 2024 is based on historical revenues during the period January 2024 to November 2024. The estimated congestion income amounts to approximately EUR 140.3 million. The expected amount of congestion income for 2025 is EUR 150.1 million. In this advance communication the gross revenues are reported. As a result the costs for firmness compensation (category ii of article 3.1 of the UCI methodology) and for remuneration of LTTR (category iv of article 3.1 of the UCI methodology) are reported on separate line items in the report. The estimated costs for 2024 and 2025 are based on historical costs during the period January 2024 to September 2024. The estimated total costs amount to approximately EUR 57.1 million per year for 2024 and for 2025.

Operational costs for the execution of the auctions for interconnection capacity

The estimated withdrawal is based on historical costs and amounts approximately EUR 1.2 million per year. These costs are necessary to generate the congestion income on these borders and should therefore be netted with the gross congestion income. For the purpose of transparency TenneT separately reports these amounts in the overview.

2.4 Other additions / withdrawals

2.4.1 Participation in TenneT Germany

Per February 2020 the funding structure for the participation of The Foundation in TenneT GmbH & Co KG has been restructured. As a result the invested amount has been reduced. As part of this restructuring the existing call and put option agreements are amended in order to protect the allocated funds and to ensure their immediate availability to The Foundation. All proceeds and costs related to the above mentioned structure have been added / withdrawn from the congestion revenues. In 2024 and 2025 the total net proceeds that are expected to be added to the congestion revenues amount to EUR 0.0 million (rounded).

2.4.2 Interest revenues

As described in paragraph 2.1 the allocated funds are invested within the boundaries of the treasury statute of The Foundation when they are temporarily placed on a separate internal account as prescribed in the Regulation. An amount of EUR 7.9 million is expected to be added in 2024 and 2025 for interest received over the balance congestion revenues.

2.4.3 Operational costs of The Foundation

The estimated withdrawal is based on historical costs and amounts approximately EUR 0.2 million. These costs of The Foundation for the management of the allocated funds are necessary to separately account for the residual congestion income as required in article 19.3 of the Regulation. For the purpose of transparency, TenneT separately reports these amounts in the overview.

2.4.4 Redispatch costs related to critical branches

The Regulation requires TSOs to optimise cross-border capacity of the interconnections and the transmission networks affecting cross-border flows, while complying with safety standards of secure network operation. As a result guaranteeing the actual availability of allocated capacity and maintaining or expanding capacity of the interconnections and of the transmission networks affecting cross-border flows contributes to the purposes laid down in the EU legislation. In accordance with article 19.2a of the Regulation and cost category i) of article 3.1 of the UCI methodology these activities can be funded from the revenues resulting from the allocation of interconnection capacity (hereinafter cross-border congestion revenues). The interconnectors and relevant parts of the transmission network that are affected by cross-border flows are identified as 'critical branches' in accordance with the implemented Flow Based Allocation Methodology. In the following situations TenneT is using cross-border congestion revenues to fund the costs of solving congestions on critical branches (both upward and downward adjustment of transported volumes by means of redispatch and/or countertrade):

- I. If planned non-availability of a critical branch is required to enable the increase of capacity of the critical branch.
- II. If the critical branch is temporarily not available.
- III. If there is an unplanned outage of a critical branch.
- IV. If the scheduled transport on the critical branch exceeds security limits.

The estimated redispatch costs related to critical branches are expected to decrease from EUR 132 million in 2023 to approximately EUR 21 million in 2024 and EUR 20 million in 2025. This decrease is mainly due to lower costs for the required outage periods for the execution of projects to increase the capacity of the existing EHV-grid and lower costs for safeguarding security limits of the grid. For subsequent years it is still the expectation that long window outage periods are required to execute projects. TenneT expects that the congestion revenues in 2024 and 2025 are sufficient to cover the abovementioned amounts for redispatch

related to critical branches.

TenneT emphasizes that the forecasted costs for redispatch related to critical branches are subject to a high estimation uncertainty.

2.4.5 Tariff reduction

Based on this forecast TenneT expects that the remaining annual amount of net auction proceeds (revenue interconnectors -/- costs to be settled with these auction receipts) is positive. This remaining amount should be used to fulfil the priority objectives as included in the Regulation. If these conditions are met the remaining auction receipts can be made available for tariff reduction. Paragraph 2.4.4 of this document describes how TenneT fulfils these priority objectives by using the auction receipts to fund solving congestions on critical branches. Furthermore, TenneT is investing in increasing the cross zonal capacity by investments in the cross-border relevant assets. These investments are listed in TenneT's Investment Plan 2024-2033¹. These investments include the projects that are listed in the Action Plan² of the Dutch government, in accordance with Article 15(1) of the Regulation. These investments are already reimbursed via the regular regulatory reimbursement, and additional funding from the auction receipts is not required. TenneT thereby fulfils the priority objectives as set out in the Regulation. In the 2025 tariff proposal (reference: REG-N 24-032) TenneT proposes to use EUR 160 million for the reduction of the allowed revenue for the EHV grid. In line with this proposal, TenneT expects to withdraw this amount from the congestion revenues in 2025. TenneT emphasises that the expected costs for redispatch and the congestion income itself for 2025 are still subject to a high estimation uncertainty.

¹ https://tennet-drupal.s3.eu-central-1.amazonaws.com/default/2024-04/IP2024_Netopland_17-4-2024.pdf

² <https://www.rijksoverheid.nl/ministeries/ministerie-van-economische-zaken/documenten/publicaties/2019/12/20/actieplan-verhoging-beschikbaarheid-zone-overschrijdende-transportcapaciteit-elektriciteitshandel>