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Answer given by Mr Jørgensen
on behalf of the European Commission
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The Commission keeps all legislation under review. While the Inter-TSO (transmission system operators) compensation (ITC) is from 2010, important elements from the European Union Agency for the Cooperation of Energy Regulators' (ACER) 2013 report have been taken forward under different mechanisms since then. For example, a structured process with Member States on Projects of Common Interest (PCI) is in place and the Commission has allocated over EUR 10.5 billion so far to energy infrastructure projects¹ through the Connecting Europe Facility (CEF). In addition, the Regulation on guidelines for trans-European energy networks² introduced cross-border cost allocation (CBCA) as a regulatory tool to facilitate the implementation of PCIs. CBCA decisions establish the sharing of the efficient investment costs of a PCI between the countries which are significantly impacted by the projects.

Workstreams have been launched to split the costs of after-market actions (redispatching and countertrading) borne by TSOs fairly. A cost-sharing methodology, based on the polluter-pays principle, is currently under discussion between TSOs and Regulators. Following a Court judgement annulling a decision of the Bord of Appeal of ACER, discussions are now ongoing to implement this judgement.³

Moreover, in 2023, ACER recommended⁴ an update to the ITC methodology to ensure a more accurate representation of transit costs. TSOs are currently discussing how best to incorporate ACER's recommendations into the methodology.

¹ In the period 2014-2020, the Connecting Europe Facility allocated EUR 4.7 billion to studies and works supporting the implementation of 107 PCIs. The largest share of funding (89%) went to construction works, with most of this spending in the electricity sector. The new CEF programme for 2021-2027 allocates a total budget of EUR 5.8 billion to the energy sector.

² https://energy.ec.europa.eu/topics/infrastructure/trans-european-networks-energy_en

³

https://docs.publicnow.com/viewDoc?filename=23817%5CEXT%5C2BECDB7CC01E265D3A90E95EE175078E39530AB7_6A61ADD2291CDF6BC317D1C0F14BF37A28CA4C5A.PDF

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https://www.acer.europa.eu/sites/default/files/documents/Recommendations/ACER_Recommendation_01_2023_on_the_Treatment_of_Losses_for_the_Purpose_of_the_ITC_Mechanism.pdf