Electricity regulation: cross-border exchanges, date of application by Slovenia

2004/0109(COD) - 28/06/2004 - Final act

PURPOSE : to allow Slovenia a transitional period for the application of Article 6(1) of the Electricity Regulation until 1 July 2007.

LEGISLATIVE ACT : Council Regulation 1223/2004/EC amending Regulation 1228/2003/EC of the European Parliament and of the Council as regards the date of application of certain provisions to Slovenia.

CONTENT : Regulation 1228/2003/EC on conditions for access to the network for cross-border exchanges in electricity aims at setting fair rules for cross-border exchanges in electricity. That Regulation

applies from 1 July 2004. In accordance with Article 6(1) of Regulation 1228/2003/EC, network congestion problems are to be addressed by means of non-discriminatory market-based solutions which give efficient economic signals to the market participants and transmission system operators involved. The Guidelines on the management and allocation of available transfer capacity of interconnections between national systems, set out in the Annex to the Regulation, contain rules which are directly linked to the general principle contained in Article 6(1) of that Regulation.

This regulation grants Slovenia's request for a transitional period for the application of Article 6(1) and the related provisions in the Guidelines, until 1 July 2007. Slovenia has demonstrated that without a transitional period certain Slovenian energy-intensive industries would be adversely affected by higher prices for electricity imported from Austria and certain electricity producers by lower incomes from export sales to Italy. That would impede the ongoing efforts of the industries concerned to restructure and respectively comply with Community acquis applicable to electricity production.

The derogation is limited to what is strictly necessary in view of the Slovenian request. It only covers the part of the interconnection capacity allocated by the Slovenian transmission system operator and applies only insofar as such capacity does not exceed half of the total capacity available.

ENTRY INTO FORCE : 02/07/04.

DATE APPLICABLE : 01/07/04.