**КОРЕСПОНДЕНТНА ТАBЕЛА**

**ФОРМУЛАР ЕУ-МК**CORRESPONDENCE TABLE

FORM EU-MK

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| **CELEX EU regulation number:** 32019R0943**Title and number of the Official Journal of the European Union:** Регулатива (ЕУ) 2019/943 на Еcропскиот парламент и на Соcетот од 5 јуни 2019 година за cнатрешниот пазар на електрична енерdија, Служbен Cесник на Еcропската унија L 158/54**Title and number of the Official Journal of the European Union in English:** Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity, Official Journal of the European Union L 158/54 **Amendments to EU regulation**: / |

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|  | Name of the national legal provisions transposing the EU regulation (abbreviation) | EPP No. of national labor regulations | Is it a draft regulation or an adopted regulation(if an adopted regulation, fill in the last column) | Number of Official Gazette of the Republic of Macedonia (no./year with 4 digits) | Comment |
| 1 | Law on Trade Companies (hereinafter referred to as the LTC) | 2020.0400.8160 | Adopted regulation | "Official Gazette of the Republic of Macedonia" 42/10; 48/10; 166/12; 70/13; 120/13; 187/13; 38/14; 41/14; 88/15; 192/15; 6/16; 30/16; 61/16; 64/18; 120/18; and "Official Gazette of the Republic of North Macedonia" 290/20; 215/21;99/22; и 274/24 |  |
| 2.  | Law on Energy Efficiency (hereinafter referred to as the LEE) | 2018.0000.7684 | Law passed | "Official Gazette of the Republic of North Macedonia" 32/20; 110/21; 236/22 and 147/22 |  |
| 3 | Draft Law on Energy (hereinafter referred to as DEL) | 2019.0400.7894. | Draft regulation |  |  |

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Version 1

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| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| Number of Article | Article | Title of the National Legal Regulation (abbreviation of the National Legal Regulation) | Article number of the National Legal Regulation | Article of the National Legal Regulation | Is it fully compliant (Fully , Partially , Not transposed, not relevant for RNM, discretionay clause) | Is it fully compliant (Fully , Partially , Not transposed, not relevant for RNM, discretionay clause) | Scheduled deadline for Full Compliance | Comment |
| Article 1paragraph 1 point (a) | This Regulation aims to:  set the basis for an efficient achievement of the objectives of the Energy Union and in particular the climate and energy framework for 2030 by enabling market signals to be delivered for increased efficiency, higher share of renewable energy sources, security of supply, flexibility, sustainability, decarbonisation and innovation;  | DEL | Article 2point 9 | participation and connection to regional and European electricity and gas markets in accordance with the rights and obligations arising out of the ratified international treaties in accordance with the Constitution of the Republic of North Macedonia (hereinafter referred to as: ratified international treaties); | Fully compliant |  |  |  |
| Article 1paragraph 1point (b) | set fundamental principles for well-functioning, integrated electricity markets, which allow all resource providers and electricity customers non-discriminatory market access, empower consumers, ensure competitiveness on the global market as well as demand response, energy storage and energy efficiency, and facilitate aggregation of distributed demand and supply, and enable market and sectoral integration and market-based remuneration of electricity generated from renewable sources;  | DEL | Article 2 point 2 | efficient, competitive and financially sustainable energy sector, based on the principles of non-discrimination, fairness and transparency ensuring a high level of reliability and quality in energy supply;  | Fully compliant |  |  |  |
| Article 1paragraph 1point (c) | set fair rules for cross-border exchanges in electricity, thus enhancing competition within the internal market for electricity, taking into account the particular characteristics of national and regional markets, including the establishment of a compensation mechanism for cross-border flows of electricity, the setting of harmonised principles on cross-border transmission charges and the allocation of available capacities of interconnections between national transmission systems;  | DEL | Article 2 point 8 | application of internationally harmonized rules established for cross-border exchange of electricity and gas, as well as cooperation of the electricity and gas transmission system operators and the nominated operator on the organized electricity market with the relevant operators from other countries within the organized forms of operators’ cooperation; | Fully compliant |  |  |  |
| Article 1paragraph 1point (d) | facilitate the emergence of a well-functioning and transparent wholesale market, contributing to a high level of security of electricity supply, and provide for mechanisms to harmonise the rules for cross-border exchanges in electricity.  | DEL | Article 109paragraph (1) point 9 | regional cooperation in achieving cross-border flows and cross-border transactions of electricity with the counter parties of the Energy Community and the Member States of the European Union, taking into account the effects of short-term and long-term products on electricity markets; | Fully compliant |  |  |  |
| Article 2paragraph 1point 1 | ‘interconnector’ means a transmission line which crosses or spans a border between Member States and which connects the national transmission systems of the Member States; | DEL | Article 3point 72 | ‘interconnector line’ means an electricity line or gas pipeline, including the associated equipment and facilities, by which the electricity transmission system or gas transmission system of the Republic of North Macedonia is connected to the corresponding transmission system of a neighbouring country; | Fully compliant |  |  |  |
| Article 2paragraph 1point 2 | regulatory authority’ means a regulatory authority designated by each Member State pursuant to Article 57(1) of Directive (EU) 2019/944; | DEL | Article 3  point 177 | ‘regulatory authority’ is an independent and sole regulatory body that regulates and controls the manner of performing energy activities under this Law;  | Fully compliant |  |  |  |
| Article 2paragraph 1point 3 | ‘cross-border flow’ means a physical flow of electricity on a transmission network of a Member State that results from the impact of the activity of producers, customers, or both, outside that Member State on its transmission network;  | DEL | Article 3point 153 | ‘cross-border flow’ means a physical flow of electricity or natural gas on an electricity transmission network or natural gas transmission network of a counter party to the Energy Community or of a Member State of the European Union that results from the impact of the activity of producers, customers, or electricity or gas storage operators, outside that counter party or Member State of the European Union appropriately;  | Fully compliant |  |  |  |
| Article 2 paragraph 1point 4 | ‘congestion’ means a situation in which all requests from market participants to trade between network areas cannot be accommodated because they would significantly affect the physical flows on network elements which cannot accommodate those flows;  | DEL | Article 3point 66 | ‘congestion’ means a situation in which all requests from market participants to trade between network areas cannot be accommodated because they would significantly affect the physical flows on network elements which cannot accommodate those flows;  | Fully compliant |  |  |  |
| Article 2paragraph 1point 5 | ’new interconnector’ means an interconnector not completed by 4 August 2003;  | DEL | Article 3point 113 | ‘new interconnector’ means an interconnector not completed by 1 July 2007; | Fully compliant |  |  |  |
| Article 2paragraph 1point 6 | ‘structural congestion’ means congestion in the transmission system that is capable of being unambiguously defined, is predictable, is geographically stable over time, and frequently reoccurs under normal electricity system conditions; | DEL | Article 3point 209 | ‘structural congestion’ means congestion in the transmission system that is capable of being unambiguously defined, is predictable, is geographically stable over time, and frequently reoccurs under normal electricity system conditions;  | Fully compliant |  |  |  |
| Article 2 paragraph 1point 7 | ‘market operator’ means an entity that provides a service whereby the offers to sell electricity are matched with bids to buy electricity; | DEL | Article 3point 125 | ‘electricity market operator’ means an undertaking that organizes and manages the electricity bilateral contracts market and is responsible for its efficient operation and development; | Fully compliant |  |  |  |
| Article 2paragraph 1point 8 | ‘nominated electricity market operator’ or ‘NEMO’ means a market operator designated by the competent authority to carry out tasks related to single day-ahead or single intraday coupling; | DEL | Article 3  point 115 | ’nominated electricity market operator’ means an electricity market operator that performs the tasks related to each single day-ahead or single intraday coupling electricity markets of the Republic of North Macedonia with the corresponding markets of a neighbouring counter party of the Energy Community or a Member State of the European Union; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 9 | ‘value of lost load’ means an estimation in euro/MWh, of the maximum electricity price that customers are willing to pay to avoid an outage; | DEL | Article 3point 22 | ‘value of lost load’ means an estimation in euro/MWh, of the maximum electricity price that customers in the Republic of North Macedonia (hereinafter referred to as: customers) are willing to pay to avoid an outage; | Fully compliant |  |  |  |
| Article 2paragraph 1 point 10 | ‘balancing’ means all actions and processes, in all timelines, through which transmission system operators ensure, in an ongoing manner, maintenance of the system frequency within a predefined stability range and compliance with the amount of reserves needed with respect to the required quality;  | DEL | Article 3 point 11 | ‘balancing’ means all actions and processes, in all timelines, through which transmission system operator ensures, in an ongoing manner, maintenance of the system frequency within a predefined stability range and compliance with the amount of reserves needed with respect to the required quality, i.e. the gas transmission system operator maintains the system balance by changing the flow of gas into or out of the system within predefined stability range, with the exception of activities and processes related to gas taken by system users and gas used for system management;  | Fully compliant |  |  |  |
| Article 2 paragraph 1point 11 | ‘balancing energy’ means energy used by transmission system operators to carry out balancing;  | DEL | Article 3 point 13 | ‘balancing energy’ means energy used by transmission system operators to carry out balancing; | Fully compliant |  |  |  |
| Article 2 paragraph 1point 12 | ‘balancing service provider’ means a market participant providing either or both balancing energy and balancing capacity to transmission system operators;  | DEL | Article 3point 31 | ‘balancing service provider’ means a market participant providing balancing services to the electricity transmission system operator or the gas transmission system operator on the basis of a balancing market participation contract; | Fully compliant |  |  |  |
| Article 2 paragraph 1point 13 | ‘balancing capacity’ means a volume of capacity that a balancing service provider has agreed to hold and in respect to which the balancing service provider has agreed to submit bids for a corresponding volume of balancing energy to the transmission system operator for the duration of the contract; | DEL | Article 3point 9 | ‘balancing capacity’ means a volume of capacity that a balancing service provider has agreed to hold and in respect to which the balancing service provider has agreed to submit bids for a corresponding volume of balancing energy to the transmission system operator for the duration of the contract; | Fully compliant |  |  |  |
| Article 2 paragraph 1point 14 | ‘balance responsible party’ means a market participant or its chosen representative responsible for its imbalances in the electricity market;  | DEL | Article 3 point 15 | ‘balance responsible party’ means an electricity market gas market participant or its chosen representative responsible assuming balance responsibility and submitting physical schedules (nominations) for the balance group in accordance with their mutual contractual obligations, and responsible for imbalances towards the electricity transmission system operator or the gas transmission system operator; | Fully compliant |  |  |  |
| Article 2paragraph 1point 15 | ‘imbalance settlement period’ means the time unit for which the imbalance of the balance responsible parties is calculated;  | DEL | Article 3 point 141 | ‘settlement period’ means the shortest period of time for which the imbalance of the balance responsible parties is calculated; | Fully compliant |  |  |  |
| Article 2 paragraph 1point 16 | ‘imbalance price’ means the price, be it positive, zero or negative, in each imbalance settlement period for an imbalance in each direction; | DEL | Article 3 point 231 | ‘imbalance settlement price’ means a price that may be positive, equal to zero or negative in any period of calculation of the imbalance in any direction;  | Fully compliant |  |  |  |
| Article 2 paragraph 1point 17 | ‘imbalance price area’ means the area in which an imbalance price is calculated;  | DEL | Article 3point 116 | ‘imbalance price area’ means the area in which an imbalance price is calculated; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 18 | ‘prequalification process’ means the process to verify the compliance of a provider of balancing capacity with the requirements set by the transmission system operators; | DEL | Article 3 point 168 | ‘prequalification process’ means the process to verify the compliance of a provider of balancing capacity with the requirements set by the transmission system operators; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 19 | ‘reserve capacity’ means the amount of frequency containment reserves, frequency restoration reserves or replacement reserves that needs to be available to the transmission system operator; | DEL | Article 3 point 182 |  ‘reserve capacity’ means the amount of frequency containment reserves, frequency restoration reserves or replacement reserves that needs to be available to the transmission system operator; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 20 | ‘priority dispatch’ means, with regard to the self-dispatch model, the dispatch of power plants on the basis of criteria which are different from the economic order of bids and, with regard to the central dispatch model, the dispatch of power plants on the basis of criteria which are different from the economic order of bids and from network constraints, giving priority to the dispatch of particular generation technologies;  | DEL | Article 3 point 158 | ‘priority dispatch’ means the dispatch of power plants on the basis of criteria which are different from the economic order of bids, giving priority to the dispatch of product facilities using particular generation technologies; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 21 | ‘capacity calculation region’ means the geographic area in which the coordinated capacity calculation is applied;  | DEL | Article 3 point 174 | ‘capacity calculation region’ means the geographic area in which the mutually coordinated capacity calculation of cross-border transmission capacities is applied and to which the Republic of North Macedonia belongs; | Fully compliant |  |  |  |
| Article 2paragraph 1 point 22 | ‘capacity mechanism’ means a temporary measure to ensure the achievement of the necessary level of resource adequacy by remunerating resources for their availability, excluding measures relating to ancillary services or congestion management;  | DEL | Article 3 point 101 | ‘capacity mechanism’ means a temporary measure to ensure the achievement of the necessary level of resource adequacy by remunerating resources for their availability, excluding measures relating to ancillary services or congestion management;  | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 23 | ‘high-efficiency cogeneration’ means cogeneration which meets the criteria laid down in Annex II to Directive 2012/27/EU of the European Parliament and of the Council (16);  | DEEL | Article 3point 8 | High-efficiency cogeneration plant or HECP is a plant that generates electricity andheat with high coefficient of useful effect of the plant and meets the stipulated criteria adoptedin line with Article 25 of this Law and the detailed requirements stipulated in accordance withthe Rulebook on HECP and the guarantees of origin of electricity produced by HECP; | Fully compliant |  |  |  |
| Article 2paragraph 1 point 24 | ‘demonstration project’ means a project which demonstrates a technology as a first of its kind in the Union and represents a significant innovation that goes well beyond the state of the art;  | DEL | Article 3 point 32 | ‘demonstration project’ means a project which demonstrates an innovative measure or technology as a first of its kind in the Republic of North Macedonia and represents a significant innovation that goes well beyond the state of the art; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 25 | ‘market participant’ means a natural or legal person who buys, sells or generates electricity, who is engaged in aggregation or who is an operator of demand response or energy storage services, including through the placing of orders to trade, in one or more electricity markets, including in balancing energy markets;  | DEL | Article 3 point 223 | ‘market participant’ means a person who buys and/or sells, directly or through an intermediary, electricity or gas on one or more markets, including balancing energy and system services markets, who produces electricity or gas, who trades or supplies electricity or gas or who consumes electricity or gas for its own needs, who is engaged in aggregation or who offers energy or gas storage or demand management services or who is an operator of demand response or energy storage services, including by placing trading orders; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 26 | ‘redispatching’ means a measure, including curtailment, that is activated by one or more transmission system operators or distribution system operators by altering the generation, load pattern, or both, in order to change physical flows in the electricity system and relieve a physical congestion or otherwise ensure system security;  | DEL | Article 3point 180 | ‘redispatching’ means an interim measure of changes in the generation and/or load pattern of the system, in an upward or downward direction, which is activated by the transmission system operator or by the distribution system operator, in order to change the physical energy flows of the system and to remove congestion or otherwise enable safe operation of the system; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 27 | ‘countertrading’ means a cross-zonal exchange initiated by system operators between two bidding zones to relieve physical congestion;  | DEL | Article 3point 82 | ‘countertrading’ means a cross-border exchange of electricity initiated by electricity transmission system operator and/or operator of another electricity transmission system beyond the bidding zone in order to relieve physical congestion of the capacity transmission system or an interconnecting line; | Fully compliant |  |  |  |
| Article 2 paragraph 1  point  28 | ‘power-generating facility’ means a facility that converts primary energy into electrical energy and which consists of one or more power-generating modules connected to a network;  | DEL | Article 3point 165 | ‘generation facility’ means a facility for the generation of electricity and/or heat connected to an appropriate network, by which primary energy, including energy obtained from renewable sources, is converted into electricity or heat; | Partially compliant | Full compliance will be achieved by adopting another legal act in the field of energy. | Within nine months from the date of entry into force of this law |  |
| Article 2 paragraph 1 point 29 | ‘central dispatching model’ means a scheduling and dispatching model where the generation schedules and consumption schedules as well as dispatching of power-generating facilities and demand facilities, in reference to dispatchable facilities, are determined by a transmission system operator within an integrated scheduling process;  | DEL | Article 3 point 68 | ‘common grid model’ means a Union-wide data set agreed between various transmission system operators describing the main characteristic of the power system (generation, loads and grid topology) and rules for changing these characteristics during the capacity calculation process, extended to the transmission system operators of the counter parties; | Fully compliant |  |  |  |
| Article 2  paragraph 1 point 30  | ‘self-dispatch model’ means a scheduling and dispatching model where the generation schedules and consumption schedules as well as dispatching of power-generating facilities and demand facilities are determined by the scheduling agents of those facilities;  | DEL | Article 3 point 184 | ‘self-dispatch model’ means a scheduling and dispatching model where the generation schedules and consumption schedules as well as dispatching of power-generating facilities and demand facilities are determined by the scheduling agents of those facilities; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 31 | ‘standard balancing product’ means a harmonised balancing product defined by all transmission system operators for the exchange of balancing services;  | DEL | Article 3  point 206 | ‘standard balancing product’ means a harmonised balancing product defined by all transmission system operators for the exchange of balancing services; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 32 | ‘specific balancing product’ means a balancing product different from a standard balancing product; | DEL | Article 3point 201 | ‘specific balancing product’ means a balancing product different from a standard balancing product;  | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 33 | ‘delegated operator’ means an entity to whom specific tasks or obligations entrusted to a transmission system operator or nominated electricity market operator under this Regulation or other Union legal acts have been delegated by that transmission system operator or NEMO or have been assigned by a Member State or regulatory authority;  | DEL | Article 3point 33 | ‘delegated operator’ means regional coordination centre or NEMO nominated in the Member States of the European Union, to which the transmission system operator or NEMO delegates specific tasks or responsibilities; | Fully compliant |  |  |  |
| Article 2paragraph 1 point 34 | ‘customer’ means a customer as defined in point (1) of Article 2 of Directive (EU) 2019/944; | DEL | Article 3 point 92 | ‘customer’ means a person who purchases energy for their own needs or for further sale; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 35 | ‘final customer’ means final customer as defined in point (3) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3 point 90 | ‘final customer’ means a customer who purchases electricity, natural gas or heat for own use; | Fully compliant |  |  |  |
| Article 2  paragraph 1 point 36 | ‘wholesale customer’ means a wholesale customer as defined in point (2) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3point 93 | ‘wholesale customer’ means a natural or legal person who purchases electricity for the purpose of resale inside or outside the system where that person is established; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 37 | ‘household customer’ means household customer as defined in point (4) of Article 2 of Directive (EU) 2019/944; | DEL | Article 3  point 44 | ‘household customer’ means a customer who purchases electricity for the customer's own household consumption, excluding commercial or professional activities; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 38 | ‘small enterprise’ means small enterprise as defined in point (7) of Article 2 of Directive (EU) 2019/944;  | DCL | Article 470 paragraph (5) | (5) A small trader is a trader who, in each of the last two accounting years,or in the first year of operation, has satisfied at least two of the three possiblefollowing criteria, namely:1) the average number of employees based on working hours is up to 50workers and2) the annual income is less than 2,000,000 euros in denar equivalent,or3) the average value (at the beginning and end of the accounting year) oftotal funds (assets) is less than 2,000,000 EUROS in denar equivalent. | Fully compliant |  |  |  |
| Article 2 paragraph 1point 39 | ‘active customer’ means active customer as defined in point (8) of Article 2 of Directive (EU) 2019/944; | DEL | Article 3 point 5 | ‘active customer’ means a final customer, or a group of jointly acting final customers, who consumes or stores electricity generated within its premises located within confined boundaries or who sells self-generated electricity or participates in flexibility or energy efficiency schemes, provided that those activities do not constitute its primary registered activity; | Fully compliant |  |  |  |
| Article 2  paragraph 1 point 40 | ‘electricity markets’ means electricity markets as defined in point (9) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3 point 134 | ‘electricity market’ means a wholesale electricity market, which includes a market for bilateral contracts and organised markets or electricity exchanges, on which energy, power, balancing energy or system services are traded in all timeframes including long-term markets, day-ahead markets and intraday markets; | Fully compliant |  |  |  |
| Article 2 paragraph 1point 41 | ‘supply’ means supply as defined in point (12) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3 point 195 | ‘electricity and gas supply’ means the sale, including resale, of electricity and gas to customers;  | Fully compliant |  |  |  |
| Article 2 paragraph 1point 42 | ‘electricity supply contract’ means electricity supply contract as defined in point (13) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3point 41 | ‘electricity supply contract’ means a contract for the supply of electricity, but does not include electricity derivatives  | Fully compliant |  |  |  |
| Article 2 paragraph 1point 43 | ‘aggregation’ means aggregation as defined in point (18) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3 point 3 | ‘aggregation’ means a function performed by a natural or legal person who combines multiple customer loads and/or generated electricity for sale, purchase or auction in any electricity market; | Fully compliant |  |  |  |
| Article 2paragraph 1point 44 | ‘demand response’ means demand response as defined in point (20) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3 point 220 | ‘demand-side management’ means a change in the demand for electricity or gas by final customers relative to their usual or current demand pattern in response to market signals, including in response to time-varying electricity or gas prices or incentive payments, or in response to the acceptance of an offer by the final customer to reduce or increase their electricity or gas consumption, independently or through aggregation; | Fully compliant |  |  |  |
| Article 2paragraph 1point 45 | ‘smart metering system’ means smart metering system as defined in point (23) of Article 2 of Directive (EU) 2019/944; | DEL | Article 3 point 140 | ‘smart metering system’ means a digital electronic system that is capable of independent measuring electricity fed into the grid, providing more information than a conventional meter, and that is capable of independent transmitting and receiving data for information, monitoring and control purposes, using a form of electronic communication; | Fully compliant |  |  |  |
| Article 2 paragraph 1point 46  | ‘interoperability’ means interoperability as defined in point (24) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3 point 73 | ‘interoperability’ means the ability of energy or communication networks, systems, devices, applications or components to interwork to exchange information with other such facility in order to perform required functions or to provide users with access to the necessary information; | Fully compliant |  |  |  |
| Article 2 paragraph 1point 47 | ‘distribution’ means distribution as defined in point (28) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3 point 38 | ‘electricity distribution’ means transmission and delivery of electricity through high-voltage, medium-voltage and low-voltage electricity distribution systems and management of the electricity distribution system in a specific area, not including electricity supply; | Fully compliant |  |  |  |
| Article 2paragraph 1point 48 | ‘distribution system operator’ means distribution system operator as defined in point (29) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3 point 121 | ‘distribution system operator’ means an undertaking which carries out an activity of electricity distribution and manages with the distribution system in the Republic of North Macedonia and is responsible for the operation of the system, its maintenance, development and its interconnections with other systems, and for ensuring the long-term ability of the system to meet reasonable demands for the distribution of electricity; | Fully compliant |  |  |  |
| Article 2paragraph 1point 49 | ‘energy efficiency’ means energy efficiency as defined in point (30) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3 point 55 | ‘energy efficiency’ means the ratio of output of performance, service and the input of energy to achieve that output of performance; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 50 | ‘energy from renewable sources’ or ‘renewable energy’ means energy from renewable sources as defined in point (31) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3point 117 | ‘energy from renewable sources’ means energy from renewable non-fossil sources, namely wind, solar (solar thermal and solar photovoltaic), geothermal energy, ambient energy, hydropower, biomass, biogas, landfill gas and sewage treatment plant gas, fuel obtained from processed waste and solid fuel obtained by processing waste that meet the criteria for a energy from renewable source; | Fully compliant |  |  |  |
| Article 2 paragraph 1point 51 | ‘distributed generation’ means distributed generation as defined in point (32) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3point 36 | ‘distributed generation’ means generation of electricity from power plants connected to an electricity distribution system; | Fully compliant |  |  |  |
| Article 2 paragraph 1point 52 | ‘transmission’ means transmission as defined in point (34) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3point 155 | ‘electricity transmission’ means the transmission of electricity through an electricity transmission system and the management of the electricity system for the purpose of delivery of electricity and does not include the supply of electricity; | Fully compliant |  |  |  |
| Article 2 paragraph 1point 53 | ‘transmission system operator’ means transmission system operator as defined in point (35) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3 point 122 | ‘transmission system operator’ means an undertaking that carries out electricity transmission activities, manages the electricity transmission system in the Republic of North Macedonia and is responsible for secure and stable operation of the system, its maintenance, development and interconnection with the electricity systems of neighbouring countries;  | Fully compliant |  |  |  |
| Article 2paragraph 1point 54 | ‘system user’ means system user as defined in point (36) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3point 88 | ‘system user’ means an electricity producer, final customer, storage operator, aggregator, supplier, trader and other system operators;  | Fully compliant |  |  |  |
| Article 2paragraph 1point 55 | ‘generation’ means generation as defined in point (37) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3point 164 | ‘generation’ means the generation of electricity; | Fully compliant |  |  |  |
| Article 2 paragraph 1point 56 | ‘producer’ means producer as defined in point (38) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3  point 166 | ‘electricity producer’ means a person who carries out an energy activity - electricity generation and is registered in the trade register in the Republic of North Macedonia, as well as another legal entity that is registered in the register of other legal entities in the Republic of North Macedonia and produces electricity; | Fully compliant |  |  |  |
| Article 2 paragraph 1point 57 | ‘interconnected system’ means interconnected system as defined in point (40) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3  point 146 | ‘interconnected electricity transmission system’ means a system of two or more electricity transmission and/or electricity distribution systems interconnected by one or more interconnecting lines; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 58 | ‘small isolated system’ means small isolated system as defined in point (42) of Article 2 of Directive (EU) 2019/944;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 2paragraph 1 point 59 | ‘small connected system’ means small connected system as defined in point (43) of Article 2 of Directive (EU) 2019/944;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 2 paragraph 1 point 60 | ‘ancillary service’ means ancillary service as defined in point (48) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3 point 149 | ‘electricity ancillary service’ means a service necessary for the operation of a transmission or distribution system, including balancing and non-frequency ancillary services, but not including congestion management;  | Fully compliant |  |  |  |
| Article 2 paragraph 1point 61 | ‘non-frequency ancillary service’ means non-frequency ancillary service as defined in point (49) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3point 191 | ‘non-frequency ancillary service’ means a service used by a transmission system operator or distribution system operator for steady state voltage control, fast reactive current injections, inertia for local grid stability, short-circuit current, black start capability and island operation capability referring to the electricity transmission system; | Fully compliant |  |  |  |
| Article 2paragraph 1point 62 | ‘energy storage’ means energy storage as defined in point (59) of Article 2 of Directive (EU) 2019/944;  | DEL | Article 3 point 192 | ‘energy storage’ means, in the electricity system, deferring the final use of electricity to a moment later than when it was generated, or the conversion of electrical energy into a form of energy which can be stored, the storing of such energy, and the subsequent reconversion of such energy into electrical energy or use as another energy carrier;  | Fully compliant |  |  |  |
| Article 2paragraph 1point 63 | ‘regional coordination centre’ means regional coordination centre established pursuant to Article 35 of this Regulation;  | DEL | Article 3point 176 | ‘Regional Coordination Center’ is a regional body coordinating the activities of electricity transmission system operators in the relevant system operation region; | Fully compliant |  |  |  |
| Article 2paragraph 1 point 64 | ‘wholesale energy market’ means wholesale energy market as defined in point (6) of Article 2 of Regulation (EU) No 1227/2011 of the European Parliament and of the Council (17); | DEL | Article 3point 135 | ‘wholesale energy market’ means any market in a counter party to the Energy Community or in a Member State of the European Union on which wholesale energy products are traded; | Fully compliant |  |  |  |
| Article 2 paragraph 1point 65 | ‘bidding zone’ means the largest geographical area within which market participants are able to exchange energy without capacity allocation;  | DEL | Article 3 point 70 | ‘bidding zone’ means the largest geographical area within which market participants are able to exchange energy without capacity allocation; | Fully compliant |  |  |  |
| Article 2paragraph 1point 66 | ‘capacity allocation’ means the attribution of cross-zonal capacity;  | DEL | Article 3 point 172 | ‘capacity allocation’ means the attribution of cross-zonal capacity;  | Fully compliant |  |  |  |
| Article 2 paragraph 1point 67 | ‘control area’ means a coherent part of the interconnected system, operated by a single system operator and shall include connected physical loads and/or generation units if any;  | DEL | Article 3 point 84 | ‘control area’ means a coherent part of the interconnected system, operated by a single system operator and shall include all connected customers and generation units; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 68 | ‘coordinated net transmission capacity’ means a capacity calculation method based on the principle of assessing and defining *ex ante* a maximum energy exchange between adjacent bidding zones;  | DEL | Article 3 point 86 | ‘coordinated net transmission capacity’ means a capacity calculation method based on the principle of assessing and defining ex ante a maximum energy exchange between adjacent bidding zones; | Fully compliant |  |  |  |
| Article 2paragraph 1 point 69 | ‘critical network element’ means a network element either within a bidding zone or between bidding zones taken into account in the capacity calculation process, limiting the amount of power that can be exchanged;  | DEL | Article 3 point 91 | ‘critical network element’ means a network element either within a bidding zone or between bidding zones taken into account in the capacity calculation process, limiting the amount of capacity that can be exchanged; | Fully compliant |  |  |  |
| Article 2paragraph 1 point 70 | ‘cross-zonal capacity’ means the capability of the interconnected system to accommodate energy transfer between bidding zones;  | DEL | Article 3 point 99 | ‘cross-zonal capacity’ means the capability of the interconnected system to accommodate energy transfer between bidding zones; | Fully compliant |  |  |  |
| Article 2 paragraph 1 point 71 | ‘generation unit’ means a single electricity generator belonging to a production unit. | DEL | Article 3  point 167 | ‘generation unit’ means a single electricity producer belonging to a production facility. | Fully compliant |  |  |  |
| Article 3 paragraph 1 | Member States, regulatory authorities, transmission system operators, distribution system operators, market operators and delegated operators shall ensure that electricity markets are operated in accordance with the following principles:  | DEL | Article 109paragraph (1) | The Energy Regulatory Commission, the electricity transmission system operator, the electricity distribution system operator, the electricity market operator, the organized market operator and NEMO shall ensure that the operation of the electricity markets is carried out in accordance with the following rules: | Fully compliant |  |  |  |
| Article 3paragraph 1 point (a) | prices shall be formed on the basis of demand and supply;  | DEL | Article 109 point 1 | price setting based on demand and supply and prevention of activities that prevent price setting based on demand and supply; | Fully compliant |  |  |  |
| Article 3paragraph 1 point (b) | market rules shall encourage free price formation and shall avoid actions which prevent price formation on the basis of demand and supply;  | DEL | Article 109 point 2 | enabling increased competition in the retail electricity market; | Fully compliant |  |  |  |
| Article 3 paragraph 1 point (c) | market rules shall facilitate the development of more flexible generation, sustainable low carbon generation, and more flexible demand;  | DEL | Article 109 point 6 | efficient dispatching of generation plants, electricity storage facilities and demand-side management; | Fully compliant |  |  |  |
| Article 3 paragraph 1 point (d) | customers shall be enabled to benefit from market opportunities and increased competition on retail markets and shall be empowered to act as market participants in the energy market and the energy transition; | DEL | Article 109  point 3 | active participation of customers in the electricity market; | Fully compliant |  |  |  |
| Article 3 paragraph 1 point (e) | market participation of final customers and small enterprises shall be enabled by aggregation of generation from multiple power-generating facilities or load from multiple demand response facilities to provide joint offers on the electricity market and be jointly operated in the electricity system, in accordance with Union competition law; | DEL | Article 109  point 5 | participation in the electricity market of the users of the electricity transmission and distribution system through aggregation and/or demand-side management; | Fully compliant |  |  |  |
| Article 3paragraph 1 point (f) | market rules shall enable the decarbonisation of the electricity system and thus the economy, including by enabling the integration of electricity from renewable energy sources and by providing incentives for energy efficiency;  | DEL | Article 109 point 11 | decarbonization of the electricity system, and thus of the economy, by enabling integration of electricity generated from renewable energy sources, electricity storage, demand-side management, as well as by providing incentives for energy efficiency, including development of demonstration projects in sustainable, safe and low-carbon energy sources, technologies or systems, as well as smooth implementation of support measures in electricity generation capacities, especially for long-term investments that achieve the goals of electricity system decarbonization. | Fully compliant |  |  |  |
| Article 3 paragraph 1 point (g) | market rules shall deliver appropriate investment incentives for generation, in particular for long-term investments in a decarbonised and sustainable electricity system, energy storage, energy efficiency and demand response to meet market needs, and shall facilitate fair competition thus ensuring security of supply;  | DEL | Article 109 point 4 | protection of market participants against the risks of price volatility and mitigating uncertainty about investment returns by enabling trading of long-term products on exchanges in a transparent manner and enabling long-term electricity supply contracts to be negotiated outside the exchange in accordance with the regulations governing the protection of competition; | Fully compliant |  |  |  |
| Article 3paragraph 1 point (h) | barriers to cross-border electricity flows between bidding zones or Member States and cross-border transactions on electricity markets and related services markets shall be progressively removed; | DEL | Article 109  point 9 | regional cooperation in achieving cross-border flows and cross-border transactions of electricity with the counter parties of the Energy Community and the Member States of the European Union, taking into account the effects of short-term and long-term products on electricity markets; | Fully compliant |  |  |  |
| Article 3 paragraph 1 point (i) | market rules shall provide for regional cooperation where effective;  | DEL | Article 109 point 9 | regional cooperation in achieving cross-border flows and cross-border transactions of electricity with the counter parties of the Energy Community and the Member States of the European Union, taking into account the effects of short-term and long-term products on electricity markets; | Fully compliant |  |  |  |
| Article 3paragraph 1 point (j) | safe and sustainable generation, energy storage and demand response shall participate on equal footing in the market, under the requirements provided for in the Union law; | DEL | Article 109point 8 | equal participation in the market of producers of electricity from renewable energy sources, storage facility operators and demand-side management, based on the assessment of the economic and financial viability of their operations; | Fully compliant |  |  |  |
| Article 3paragraph 1 point (k) | all producers shall be directly or indirectly responsible for selling the electricity they generate;  | DEL | Article 109point 7 | responsibility of producers for the obligations undertaken regarding the sale of the electricity they generate; | Fully compliant |  |  |  |
| Article 3paragraph 1 point (l) | market rules shall allow for the development of demonstration projects into sustainable, secure and low-carbon energy sources, technologies or systems which are to be realised and used to the benefit of society;  | DEL | Article 116 paragraph (2) point 6 | encourage development of demonstration projects in sustainable, safe and low-carbon energy sources, technologies or systems; | Fully compliant |  |  |  |
| Article 3paragraph 1 point (m) | market rules shall enable the efficient dispatch of generation assets, energy storage and demand response;  | DEL | Article 116paragraph (2) point 7 | allow efficient dispatching of generation plants, electricity storage facilities and demand-side management; | Fully compliant |  |  |  |
| Article 3 paragraph 1 point (n) | market rules shall allow for entry and exit of electricity generation, energy storage and electricity supply undertakings based on those undertakings' assessment of the economic and financial viability of their operations;  | DEL | Article 116paragraph (2) point 8 | ensure free entry and exit of electricity producers, storage facility operators and electricity consumption management based on their assessment of the economic and financial viability of their operations; | Fully compliant |  |  |  |
| Article 3 paragraph 1 point (o) | in order to allow market participants to be protected against price volatility risks on a market basis, and mitigate uncertainty on future returns on investment, long-term hedging products shall be tradable on exchanges in a transparent manner and long-term electricity supply contracts shall be negotiable over the counter, subject to compliance with Union competition law;  | DEL | Article 109 point 4 | protection of market participants against the risks of price volatility and mitigating uncertainty about investment returns by enabling trading of long-term products on exchanges in a transparent manner and enabling long-term electricity supply contracts to be negotiated outside the exchange in accordance with the regulations governing the protection of competition; | Fully compliant |  |  |  |
| Article 3 paragraph 1 point (p) | market rules shall facilitate trade of products across the Union and. regulatory changes shall take into account effects on both short-term and long-term forward and futures markets and products;  | DEL | Article 116paragraph (2) point 9 | facilitate trade in energy products between the Contracting Parties to the Energy Community and Member States of the European Union and take into account the effects of short-term and long-term products on electricity markets; andprovide protection of market participants against the risks of price volatility and mitigating uncertainty about investment returns by enabling trading of long-term products on exchanges in a transparent manner and enabling long-term electricity supply contracts to be negotiated outside the exchange in accordance with the Law on Protection of Competition. | Fully compliant |  |  |  |
| Article 3paragraph 1 point (r) | market participants shall have a right to obtain access to the transmission networks and distribution networks on objective, transparent and non-discriminatory terms.  | DEL | Article 99paragraph 1 point 1 | Operators of transmission systems and electricity or gas distribution systems and heat distribution systems shall be obliged to enable connection to the relevant system to: 1. customers, producers and operators of electricity storage facilities that are connected to the electricity transmission or distribution system on the territory of the Republic of North Macedonia | Fully compliant |  |  |  |
| Article 4 paragraph 1 | The Commission shall support Member States that put in place a national strategy for the progressive reduction of existing coal and other solid fossil fuel generation and mining capacity through all available means to enable a just transition in regions affected by structural change. The Commission shall assist Member States in addressing the social and economic impacts of the clean energy transition. The Commission shall work in close partnership with the stakeholders in coal and carbon-intensive regions, shall facilitate the access to and use of available funds and programmes, and shall encourage the exchange of good practices, including discussions on industrial roadmaps and reskilling needs.  |  |  |  | Not transpossed |  |  | This paragraph applies to the Member States of the European Union. |
| Article 5paragraph 1 | All market participants shall be responsible for the imbalances they cause in the system (‘balance responsibility’). To that end, market participants shall either be balance responsible parties or shall contractually delegate their responsibility to a balance responsible party of their choice. Each balance responsible party shall be financially responsible for its imbalances and shall strive to be balanced or shall help the electricity system to be balanced.  | DEL | Article 126Paragraphs (1), (2) and (3) | (1)All electricity market participants shall be responsible for the imbalances they cause, i.e. they shall have balance responsibility.(2) Market participants shall be balance responsible parties or shall contractually delegate their balance responsibility to a balance responsible party of their own choice.(3) Each balance responsible party shall be financially responsible for the imbalances it causes, it shall strive to be balanced or to help the electricity system to be balanced. | Fully compliant |  |  |  |
| Article 5paragraph 2 point (а) | demonstration projects for innovative technologies, subject to approval by the regulatory authority, provided that those derogations are limited to the time and extent necessary for achieving the demonstration purposes;  | DEL | Article 126paragraph (4) point 1 | Deviation from balance responsibility is possible only for:1. demonstration projects that use innovative technologies approved by the Energy Regulatory Commission, with such priority being limited to the time and scope necessary to achieve the project objectives; | Fully compliant |  |  |  |
| Article 5 paragraph 2 point (b) | power-generating facilities using renewable energy sources with an installed electricity capacity of less than 400 kW;  | DEL | Article 126paragraph (4) point 2 | Generation facilities that use energy from renewable sources with an installed capacity of less than 200 kW; | Fully compliant |  |  |  |
| Article 5paragraph 2 point (c)and sub paragraph 2 | installations benefitting from support approved by the Commission under Union State aid rules pursuant to Article s 107, 108 and 109 TFEU, and commissioned before 4 July 2019. ember States may, without prejudice to Article s 107 and 108 TFEU, provide incentives to market participants which are fully or partly exempted from balancing responsibility to accept full balancing responsibility. | DEL | Article 126paragraph (4) point 3and paragraph (5) | (4) Deviation from balance responsibility is possible only for:3.Generation facilities that use preferential tariffs and premiums for sold electricity generated from energy from renewable sources and put into operation before the entry into force of this Law. (5) Market participants that are fully or partially exempted from balance responsibility may be granted support measures for the purpose of accepting balance responsibility. | Fully compliant |  |  |  |
| Article 5paragraph 3 | When a Member State provides a derogation in accordance with paragraph 2, it shall ensure that the financial responsibility for imbalances is fulfilled by another market participant.  | DEL | Article 126paragraph (6) | Market participants that are allowed to deviate from balance responsibility shall ensure that the financial responsibility for the imbalances they cause is met by another market participant. | Fully compliant |  |  |  |
| Article 5paragraph 4 | For power-generating facilities commissioned from 1 January 2026, point (b) of paragraph 2 shall apply only to generating installations using renewable energy sources with an installed electricity capacity of less than 200 kW. | DEL | Article 298paragraph (2) | The threshold for installed capacity of power plants from renewable energy sources and highly efficient cogeneration plants, which shall have priority access to electricity systems and priority dispatch of the produced electricity, as stipulated in Article 104 paragraph (2) item 1 of this Law, shall be set at 200 kW from 1 January 2026. | Fully compliant |  |  |  |
| Article 6 paragraph 1 point (а) | Balancing markets, including prequalification processes, shall be organised in such a way as to: (a) ensure effective non-discrimination between market participants taking account of the different technical needs of the electricity system and the different technical capabilities of generation sources, energy storage and demand response; | DEL | Article 126paragraph (7)point 1 | The electricity transmission system operator shall ensure that the balancing energy market, including pre-qualification for participation in the balancing energy market, shall be organised in a manner that:1. ensures non-discrimination between market participants, taking into account the different technical needs of the electricity system and the different technical possibilities of the electricity generation and storage capacities, as well as demand-side management; | Fully compliant |  |  |  |
| Article 6paragraph 1point (b) | ensure that services are defined in a transparent and technologically neutral manner and are procured in a transparent, market-based manner; | DEL | Article 126paragraph (7)point 2 | 2. Ensures identification and procurement of services in a transparent, market-based and technologically independent manner; | Fully compliant |  |  |  |
| Article 6paragraph 1 point (c) | ensure non-discriminatory access to all market participants, individually or through aggregation, including for electricity generated from variable renewable energy sources, demand response and energy storage;  | DEL | Article 126paragraph (7) point 3 | 3. Ensures non-discriminatory access to all market participants, individually or through aggregation, including for electricity generation from energy from renewable sources, demand-side management and energy storage; | Fully compliant |  |  |  |
| Article 6paragraph 1 point (d) | respect the need to accommodate the increasing share of variable generation, increased demand responsiveness and the advent of new technologies.  | DEL | Article 126paragraph (7) point 4 | 4. Takes into account the need to adapt to the increasing share of variable generation, increased demand-side management and the emergence of new technologies. | Fully compliant |  |  |  |
| Article 6paragraph 2 | The price of balancing energy shall not be pre-determined in contracts for balancing capacity. Procurement processes shall be transparent in accordance with Article 40(4) of Directive (EU) 2019/944, while protecting the confidentiality of commercially sensitive information.  | DEL | Article 126paragraphs (8), (9) and (10) | (8) The electricity transmission system operator and the balancing service providers shall enter into a balancing capacity contract.(9) The price of balancing energy shall be determined in a transparent and market-based manner.(10) The price of balancing energy shall not be determined in balancing capacity contracts in advance. The procurement processes shall be transparent, protecting the confidentiality of commercially sensitive information. The settlement of balancing energy for standard balancing products and specific balancing products shall be based on marginal prices (pay-as-clear), unless all regulatory authorities in the European Union approve an alternative pricing method, based on a joint proposal from all transmission system operators in the European Union following an analysis showing that the alternative pricing method is more efficient. | Fully compliant |  |  |  |
| Article 6 paragraph 3 | Balancing markets shall ensure operational security whilst allowing for maximum use and efficient allocation of cross-zonal capacity across timeframes in accordance with Article 17. | DEL | Article 126paragraph (12) | The balancing energy market shall ensure operational security, while enabling maximum utilisation and efficient allocation of cross-zonal capacity across time frames in accordance with Article 156 of this Law. The reservation of cross-zonal capacity for that purpose may be limited. | Fully compliant |  |  |  |
| Article 6 paragraph 4Sub paragraph 1Sub paragraph 2 | The settlement of balancing energy for standard balancing products and specific balancing products shall be based on marginal pricing (pay-as-cleared) unless all regulatory authorities approve an alternative pricing method on the basis of a joint proposal by all transmission system operators following an analysis demonstrating that that alternative pricing method is more efficient. Market participants shall be allowed to bid as close to real time as possible, and balancing energy gate closure times shall not be before the intraday cross-zonal gate closure time. Transmission system operators applying a central dispatching model may establish additional rules in accordance with the guideline on electricity balancing adopted on the basis of Article 6(11) of Regulation (EC) No 714/2009.  | DEL | Article 126paragraphs (10), ) (14) and (16) | (10) The price of balancing energy shall not be determined in balancing capacity contracts in advance. The procurement processes shall be transparent, protecting the confidentiality of commercially sensitive information. The settlement of balancing energy for standard balancing products and specific balancing products shall be based on marginal prices (pay-as-clear), unless all regulatory authorities in the European Union approve an alternative pricing method, based on a joint proposal from all transmission system operators in the European Union following an analysis showing that the alternative pricing method is more efficient.(14) Market participants shall be allowed to bid as close to real time as possible, and the deadline for offering balancing energy shall not be before the intraday cross-zonal gate closure time.(16) If there are insufficient offers on the balancing capacity market, upon request of the electricity transmission system operator, the Energy Regulatory Commission may adopt a decision allowing the electricity transmission system operator to use a different method of providing balancing capacity than the one set out in the balancing energy market rules. Derogations from the obligation to purchase balancing capacity based on the use of primary markets shall be reviewed every three years.  | Fully compliant |  |  |  |
| Article 6paragraph 1 point 5 | The imbalances shall be settled at a price that reflects the real-time value of energy.  | DEL | Article 126paragraph (11) | Imbalance shall be calculated at a price that reflects the real-time value of energy. | Fully compliant |  |  |  |
| Article 6paragraph 1 point 6  | Each imbalance price area shall be equal to a bidding zone, except in the case of a central dispatching model where an imbalance price area may constitute a part of a bidding zone.  | DEL | Article 140paragraph (1)point 16 | to ensure daily dispatching by applying the self-dispatching model and real-time management of electricity flows in the electricity transmission network and interconnectors, taking into account the overall generation and demand of electricity in the Republic of North Macedonia, as well as internal and cross-zonal transactions based on the final daily schedule; | Fully compliant |  |  |  |
| Article 6 paragraph 1 point 7 | The dimensioning of reserve capacity shall be performed by the transmission system operators and shall be facilitated at regional level.  | DEL | Article 144paragraph (1) point 6 | The electricity transmission system operator shall fully implement the following TSMs approved by ACER and their amendments regulating:6. the methodology for development of common network models; | Fully compliant |  |  |  |
| Article 6 paragraph 8Sub paragraph 1 | The procurement of balancing capacity shall be performed by the transmission system operator and may be facilitated at a regional level. Reservation of cross-border capacity to that end may be limited. The procurement of balancing capacity shall be market-based and organised in such a way as to be non-discriminatory between market participants in the prequalification process in accordance with Article 40(4) of Directive (EU) 2019/944 whether market participants participate individually or through aggregation. Procurement of balancing capacity shall be based on a primary market unless and to the extent that the regulatory authority has provided for a derogation to allow the use of other forms of market-based procurement on the grounds of a lack of competition in the market for balancing services. Derogations from the obligation to base the procurement of balancing capacity on use of primary markets shall be reviewed every three years.  | DEL | Article 147paragraphs (1) and (6) | The electricity transmission system operator shall procure energy, capacity and system services in a transparent, competitive and non-discriminatory procedure for:1. covering losses in the transmission network;2. managing congestion in the transmission network;3. balancing the transmission system;4. providing system services that are not used for frequency regulation or reserves and5. own needs.(6)The electricity transmission system operator shall, through a transparent process with participation of system users, electricity distribution system operators and service providers, establish a list of specifications for system services procured on the market, previously approved by the Energy Regulatory Commission, and publish it on its website. According to the specifications, the electricity transmission system operator shall, as an integral part of the balancing energy market rules, define standardized service packages for each category of system services and for all qualified market participants, including those offering energy or services referred to in paragraph (7) of this Article . | Fully compliant |  |  |  |
| Article 6paragraph 9 | The procurement of upward balancing capacity and downward balancing capacity shall be carried out separately, unless the regulatory authority approves a derogation from this principle on the basis that this would result in higher economic efficiency as demonstrated by an evaluation performed by the transmission system operator. Contracts for balancing capacity shall not be concluded more than one day before the provision of the balancing capacity and the contracting period shall be no longer than one day, unless and to the extent that the regulatory authority has approved the earlier contracting or longer contracting periods to ensure the security of supply or to improve economic efficiency. Where a derogation is granted, for at least 40 % of the standard balancing products and a minimum of 30 % of all products used for balancing capacity, contracts for the balancing capacity shall be concluded for no more than one day before the provision of the balancing capacity and the contracting period shall be no longer than one day. The contracting of the remaining part of the balancing capacity shall be performed for a maximum of one month in advance of the provision of balancing capacity and shall have a maximum contractual period of one month.  | DEL | Article 126paragraph (10) | The price of balancing energy shall not be determined in balancing capacity contracts in advance. The procurement processes shall be transparent, protecting the confidentiality of commercially sensitive information. The settlement of balancing energy for standard balancing products and specific balancing products shall be based on marginal prices (pay-as-clear), unless all regulatory authorities in the European Union approve an alternative pricing method, based on a joint proposal from all transmission system operators in the European Union following an analysis showing that the alternative pricing method is more efficient. | Partially compliant |  |  |  |
| Article 6paragraph 10  | At the request of the transmission system operator, the regulatory authority may decide to extend the contractual period of the remaining part of balancing capacity referred to in paragraph 9 to a maximum period of twelve months provided that such a decision is limited in time, and the positive effects in terms of lowering of costs for final customers exceed the negative impacts on the market. The request shall include: (a) the specific period during which the exemption would apply; (b) the specific volume of balancing capacity to which the exemption would apply; (c) an analysis of the impact of the exemption on the participation of balancing resources; and (d) a justification for the exemption demonstrating that such an exemption would lead to lower costs to final customers.  | DEL | Article 126paragraphs (2) and (3) | (2) Market participants shall be balance responsible parties or shall contractually delegate their balance responsibility to a balance responsible party of their own choice.(3) Each balance responsible party shall be financially responsible for the imbalances it causes, it shall strive to be balanced or to help the electricity system to be balanced. | Fully compliant |  |  |  |
| Article 6paragraph 11 | Notwithstanding paragraph 10, from 1 January 2026 contract periods shall not be longer than six months.  | DEL | Article 304paragraph (3) | Contracts referred to in Article 126 paragraph (21) of this Law shall not have a duration longer than six months as of 1 January 2026. | Fully compliant |  |  |  |
| Article 6paragraph 12 | By 1 January 2028, regulatory authorities shall report to the Commission and ACER on the share of the total capacity covered by contracts with a duration or a procurement period of longer than one day.  | DEL | Article 304paragraph (4) | The Energy Regulatory Commission shall submit a report to the ECRB Secretariat by 1 January 2028 on the total capacity covered by contracts referred to in Article 126 paragraph (21) of this Law that exceed one day in duration or procurement period. | Fully compliant |  |  |  |
| Article 6 paragraph 13 | Transmission system operators or their delegated operators shall publish, as close to real time as possible but with a delay after delivery of no more than 30 minutes, the current system balance of their scheduling areas, the estimated imbalance prices and the estimated balancing energy prices.  | DEL | Article 127paragraph (4) | The electricity transmission system operator shall invoice the electricity market participants for the deviations from the physical transactions announced, at prices calculated in accordance with the methodology for calculating compensation for balancing services set out in the rules for balancing energy market of the electricity system referred to in paragraph (1) of this Article . | Fully compliant |  |  |  |
| Article 6paragraph 14  | Transmission system operators may, where standard balancing products are not sufficient to ensure operational security or where some balancing resources cannot participate in the balancing market through standard balancing products, propose, and the regulatory authorities may approve, derogations from paragraphs 2 and 4 for specific balancing products which are activated locally without exchanging them with other transmission system operators. Proposals for derogations shall include a description of measures proposed to minimise the use of specific products, subject to economic efficiency, a demonstration that the specific products do not create significant inefficiencies and distortions in the balancing market either inside or outside the scheduling area, as well as, where applicable, the rules and information for the process for converting the balancing energy bids from specific balancing products into balancing energy bids from standard balancing products.  | DEL | Article 126paragraph (7) | The electricity transmission system operator shall ensure that the balancing energy market, including pre-qualification for participation in the balancing energy market, shall be organised in a manner that:1. ensures non-discrimination between market participants, taking into account the different technical needs of the electricity system and the different technical possibilities of the electricity generation and storage capacities, as well as demand-side management;2. ensures identification and procurement of services in a transparent, market-based and technologically independent manner;3. ensures non-discriminatory access to all market participants, individually or through aggregation, including for electricity generation from energy from renewable sources, demand-side management and energy storage; and4. takes into account the need to adapt to the increasing share of variable generation, increased demand-side management and the emergence of new technologies. | Fully compliant |  |  |  |
| Article 7paragraph 1  | Transmission system operators and NEMOs shall jointly organise the management of the integrated day-ahead and intraday markets in accordance with Regulation (EU) 2015/1222. Transmission system operators and NEMOs shall cooperate at Union level or, where more appropriate, at a regional level in order to maximise the efficiency and effectiveness of Union electricity day-ahead and intraday trading. The obligation to cooperate shall be without prejudice to the application of Union competition law. In their functions relating to electricity trading, transmission system operators and NEMOs shall be subject to regulatory oversight by the regulatory authorities pursuant to Article 59 of Directive (EU) 2019/944 and ACER pursuant to Article s 4 and 8 of Regulation (EU) 2019/942.  | DEL | Article 122paragraph (1) | NEMO, in cooperation with the electricity transmission system operator, shall implement single day-ahead and intraday electricity market coupling by receiving orders from market participants and matching and allocating orders in accordance with the results of the single day-ahead and intraday coupling, the announcement of prices, clearing and financial settlement, under the contracts arising out of trading, in accordance with the applicable contracts and regulations binding on market participants. | Fully compliant |  |  |  |
| Article 7paragraph 2 point а | Day-ahead and intraday markets shall: be organised in such a way as to be non-discriminatory;  | DEL | Article 110paragraph (1)point 1 | Organized Electricity Market shall:1. be organized in a transparent and non-discriminatory manner, ensuring individual or joint access to market participants, as well as protection of the confidentiality of commercially sensitive information and identity when trading in electricity; | Fully compliant |  |  |  |
| Article 7paragraph 2point b | maximise the ability of all market participants to manage imbalances;  | DEL | Article 110paragraph (1)point 2 | 2. enable market participants to reduce deviations and participate in cross-zonal trade as close to real time as possible across all bidding zones with a 15-minute deviation settlement period; | Fully compliant |  |  |  |
| Article 7 paragraph 2 point c | maximise the opportunities for all market participants to participate in cross-zonal trade in as close as possible to real time across all bidding zones;  | DEL | Article 110paragraph (1)points 2 и 3 | 2. enable market participants to reduce deviations and participate in cross-zonal trade as close to real time as possible across all bidding zones with a 15-minute deviation settlement period;3. provide market prices that reflect the value of electricity in real time, protecting market participants from risks when entering into contracts for long-term products and determining prices for regulated services; | Fully compliant |  |  |  |
| Article 7Paragraph2point d | provide prices that reflect market fundamentals, including the real time value of energy, on which market participants are able to rely when agreeing on longer-term hedging products;  | DEL | Article 110paragraph (1)points 5and 6 | 5. ensure equal treatment of trades within the bidding zone and between bidding zones, and6. be organized in a manner that will ensure that all market participants have the opportunity to access the market individually or through aggregation. | Fully compliant |  |  |  |
| Article 7 Paragraph2 point e | ensure operational security while allowing for maximum use of transmission capacity;  | DEL | Article 110paragraph (1)point 4 | 4. ensure operational security, thus enabling maximum use of transmission capacity; | Fully compliant |  |  |  |
| Article 7paragraph 2 point f | be transparent while at the same time protecting the confidentiality of commercially sensitive information and ensuring trading occurs in an anonymous manner;  | DEL | Article 110paragraph (1)point 1 | 1.be organized in a transparent and non-discriminatory manner, ensuring individual or joint access to market participants, as well as protection of the confidentiality of commercially sensitive information and identity when trading in electricity; | Fully compliant |  |  |  |
| Article 7paragraph 2 point g | make no distinction between trades made within a bidding zone and across bidding zones; and  | DEL | Article 110paragraph (1)point 5 | 5. ensure equal treatment of trades within the bidding zone and between bidding zones | Fully compliant |  |  |  |
| Article 7paragraph 2 point h | make no distinction between trades made within a bidding zone and across bidding zones; and  | DEL | Article 110paragraph (1)point 6 | 6. be organized in a manner that will ensure that all market participants have the opportunity to access the market individually or through aggregation. | Fully compliant |  |  |  |
| Article 8paragraph 1 | NEMOs shall allow market participants to trade energy as close to real time as possible and at least up to the intraday cross-zonal gate closure time. | DEL | Article 123paragraph (2)point 1 | 1. establish, implement and maintain the algorithms, systems and procedures for single day-ahead and intraday market coupling applicable in the internal electricity market in the European Union; | Fully compliant |  |  |  |
| Article 8paragraph 2 | NEMOs shall provide market participants with the opportunity to trade in energy in time intervals which are at least as short as the imbalance settlement period for both day-ahead and intraday markets.  | DEL | Article 123paragraph (1) point 3 | 3.operationally applѕ the algorithms for price coupling in the single day-ahead and intraday markets and for continuous trading applied in the internal electricity market in the European Union; | Fully compliant |  |  |  |
| Article 8paragraph 3 | NEMOs shall provide products for trading in day-ahead and intraday markets which are sufficiently small in size, with minimum bid sizes of 500 kW or less, to allow for the effective participation of demand-side response, energy storage and small-scale renewables including direct participation by customers.  |  |  |  | Not transpossed | Full compliance will be achieved by adopting another legal act in the field of energy. | Within nine months from the date of entry into force of this law |  |
| Article 8paragraph 4 | By 1 January 2021, the imbalance settlement period shall be 15 minutes in all scheduling areas, unless regulatory authorities have granted a derogation or an exemption. Derogations may be granted only until 31 December 2024. From 1 January 2025, the imbalance settlement period shall not exceed 30 minutes where an exemption has been granted by all the regulatory authorities within a synchronous area.  | DEL | Article (123)paragraph (2)point 2 | 2. process the input data for allocation of cross-zonal transmission capacities, including the restrictions on their allocation between bidding zones provided in the coordinated capacity calculation process carried out by the electricity transmission system operator, or the Regional Coordination Centre carrying out the calculation on behalf of the electricity transmission system operators in the bidding zone, and shall deliver them to the concerned NEMOs no later than one hour before the single day-ahead cross-zonal gate opening time or no later than 15 minutes before the intraday cross-zonal gate opening time; | Fully compliant |   |  |  |
| Article 9 paragraph 1 | In accordance with Regulation (EU) 2016/1719, transmission system operators shall issue long-term transmission rights or have equivalent measures in place to allow for market participants, including owners of power-generating facilities using renewable energy sources, to hedge price risks across bidding zone borders, unless an assessment of the forward market on the bidding zone borders performed by the competent regulatory authorities shows that there are sufficient hedging opportunities in the concerned bidding zones.  | DEL | Article 128paragraph (1) | The electricity transmission system operator shall grant long-term transmission rights or rights with equivalent effect that enable market participants, including producers of electricity from renewable sources, to hedge against price risks in different bidding zones, unless a long-term market assessment conducted at the borders of the bidding zones by the competent regulatory authorities in those zones shows that there is sufficient opportunity to hedge against the risks of price differences in the bidding zones. | Fully compliant |  |  |  |
| Article 9 paragraph 2 | Long-term transmission rights shall be allocated in a transparent, market based and non-discriminatory manner through a single allocation platform.  | DEL | Article 128paragraph (2) | Long-term transmission rights shall be granted in a transparent, market-based and non-discriminatory manner through the single platforms for coordinated allocation of transmission capacity in the Energy Community and in the European Union. | Fully compliant |  |  |  |
| Article 9 paragraph 3 | Subject to compliance with Union competition law, market operators shall be free to develop forward hedging products, including long-term forward hedging products, to provide market participants, including owners of power- generating facilities using renewable energy sources, with appropriate possibilities for hedging financial risks against price fluctuations. Member States shall not require that such hedging activity be limited to trades within a Member State or bidding zone.  | DEL | Article 128paragraph (3) | The electricity market operator may offer hedging products, including long-term financial hedging products, to provide market participants, including owners of renewable energy generation plants, with appropriate opportunities to hedge against price fluctuations. | Fully compliant |  |  |  |
| Article 10 paragraph 1 | There shall be neither a maximum nor a minimum limit to the wholesale electricity price. This provision shall apply, inter alia, to bidding and clearing in all timeframes and shall include balancing energy and imbalance prices, without prejudice to the technical price limits which may be applied in the balancing timeframe and in the day-ahead and intraday timeframes in accordance with paragraph 2. | DEL | Article 123paragraph (2)point 1 | In performing the function of single day-ahead and intraday market coupling operator, NEMO shall:1. establish, implement and maintain the algorithms, systems and procedures for single day-ahead and intraday market coupling applicable in the internal electricity market in the European Union; | Fully compliant |  |  |  |
| Article 10 paragraph 2 | NEMOs may apply harmonised limits on maximum and minimum clearing prices for day-ahead and intraday timeframes. Those limits shall be sufficiently high so as not to unnecessarily restrict trade, shall be harmonised for the internal market and shall take into account the maximum value of lost load. NEMOs shall implement a transparent mechanism to adjust automatically the technical bidding limits in due time in the event that the set limits are expected to be reached. The adjusted higher limits shall remain applicable until further increases under that mechanism are required. | DEL | Article 124paragraph (1) point 1 | In carrying out the single day-ahead and intraday market coupling activities, the electricity transmission system operator shall:1. apply the rules of the internal electricity market of the European Union in cooperation with the electricity transmission system operators and NEMOs from the Contracting Parties to the Energy Community and/or the Member States of the European Union, in order to ensure operation of the single day-ahead and intraday market coupling algorithms and continuous trading matching algorithms in relation to the allocation of cross-zonal transmission capacities; | Fully compliant |  |  |  |
| Article 10paragraph 3  | Transmission system operators shall not take any measures for the purpose of changing wholesale prices.  | DEL | Article 124paragraph (2)point 3 | 2. calculate the inter-zonal capacity and the capacity allocation constraints | Fully compliant |  |  |  |
| Article 10paragraph 4 | Regulatory authorities or, where a Member State has designated another competent authority for that purpose, such designated competent authorities, shall identify policies and measures applied within their territory that could contribute to indirectly restricting wholesale price formation, including limiting bids relating to the activation of balancing energy, capacity mechanisms, measures by the transmission system operators, measures intended to challenge market outcomes, or to prevent the abuse of dominant positions or inefficiently defined bidding zones.  | DEL | Article 111paragraph (7) | The Energy Regulatory Commission shall identify the policies, regulations and measures applied that may indirectly restrict the setting of prices on the wholesale electricity market, including restrictions on bids related to activation of balancing energy, capacity mechanisms, measures taken by the electricity transmission system operator, measures intended to challenge market outcomes, measures to prevent the abuse of a dominant market position, as well as measures to redefine inefficiently defined bidding zones. | Fully compliant |  |  |  |
| Article 10paragraph 5 | Where a regulatory authority or designated competent authority has identified a policy or measure which could serve to restrict wholesale price formation it shall take all appropriate actions to eliminate or, if not possible, to mitigate the impact of that policy or measure on bidding behaviour. Member States shall provide a report to the Commission by 5 January 2020 detailing the measures and actions they have taken or intend to take.  |  | Article (111)paragraph (8) | If the Energy Regulatory Commission has identified a policy, regulation or measure that could serve to restrict the setting of prices on the wholesale electricity market, it shall take appropriate actions to eliminate or, if not possible, to mitigate the impact of that policy, regulation or measure on electricity trade and shall notify the Ministry thereof. | Fully compliant |  |  |  |
| Article 11 paragraph 1 | By 5 July 2020 where required for the purpose of setting a reliability standard in accordance with Article 25 regulatory authorities or, where a Member State has designated another competent authority for that purpose, such designated competent authorities shall determine a single estimate of the value of lost load for their territory. That estimate shall be made publically available. Regulatory authorities or other designated competent authorities may determine different estimates per bidding zone if they have more than one bidding zone in their territory. Where a bidding zone consists of territories of more than one Member State, the concerned regulatory authorities or other designated competent authorities shall determine a single estimate of the value of lost load for that bidding zone. In determining the single estimate of the value of lost load, regulatory authorities or other designated competent authorities shall apply the methodology referred to in Article 23(6). | DEL | Article 112paragraphs (1) and (2) | (1) For the purposes of establishing the confidentiality criterion referred to in Article 22 of this Law, the Energy Regulatory Commission shall determine the value of lost load for the territory of the Republic of North Macedonia. (2) If the value of lost load relates to a bidding zone, the Energy Regulatory Commission shall determine the single assessment of the value of lost load in accordance with the regulatory bodies or other competent authorities in the Contracting Parties to the Energy Community or the Member States of the European Union belonging to the cross-border bidding zone. | Fully compliant |  |  |  |
| Article 11paragraph 2 | Regulatory authorities and designated competent authorities shall update their estimate of the value of lost load at least every five years, or earlier where they observe a significant change. | DEL | Article 112paragraph (4) | The Energy Regulatory Commission shall update the assessment of the value of lost load every five years, and more frequently if necessary.  | Fully compliant |  |  |  |
| Article 12paragraph 1 | The dispatching of power-generating facilities and demand response shall be non-discriminatory, transparent and, unless otherwise provided under paragraphs 2 to 6, market based.  | DEL | Article 104paragraph (1) | Dispatching of electricity generation capacities and demand-side management capacities shall be carried out in a transparent and non-discriminatory manner under market conditions, unless otherwise provided for by this Law. | Fully compliant |  |  |  |
| Article 12paragraph 2 | Without prejudice to Article s 107, 108 and 109 TFEU, Member States shall ensure that when dispatching electricity generating installations, system operators shall give priority to generating installations using renewable energy sources to the extent permitted by the secure operation of the national electricity system, based on transparent and non-discriminatory criteria and where such power-generating facilities are either: (a) power-generating facilities that use renewable energy sources and have an installed electricity capacity of less than 400 kW; or (b) demonstration projects for innovative technologies, subject to approval by the regulatory authority, provided that such priority is limited to the time and extent necessary for achieving the demonstration purposes.  | DEL | Article 104paragraphs (2) and (8) | The electricity transmission system operator and the electricity distribution system operator shall be obliged to, in a fair, transparent and non-discriminatory manner, ensure priority access to the systems and priority in dispatching electricity generated from energy from renewable sources and/or from highly efficient combined cycle heat and power plants, for the duration of the validity of the energy operator’s license, in a manner and under the conditions set out in the network rules, taking into account the limitations arising out of the operational capabilities of the electricity system and if such generation plants are:1. with an installed capacity of less than 200 kW, or 2. demonstration projects approved by the Energy Regulatory Commission, with such priority being limited to the time and scope necessary to achieve the project objectives.(8) After previously receiving an opinion from the Energy Regulatory Commission, the Government may grant support measures under Article 88 paragraph (11) of this Law to producers who have priority in dispatching, if the producers waive the right to priority in dispatching. | Fully comliant |  |  |  |
| Article 12paragraph 3 | A Member State may decide not to apply priority dispatch to power-generating facilities as referred to in point (a) of paragraph 2 with a start of operation at least six months after that decision, or to apply a lower minimum capacity than that set out under point (a) of paragraph 2, provided that: | DEL | Article 104paragraph (3) | Upon request from the operator referred to in paragraph (2) of this Article , the Energy Regulatory Commission may adopt a decision to reduce the threshold for installed capacity or not to apply priority dispatching for the generation facilities referred to in paragraph (2) item 1 of this Article , provided that:1. there is an operational intraday market and other wholesale electricity markets, as well as a balancing energy market, available to all market participants;2. rules for redispatching and congestion management are transparent and apply to all market participants, or3. the national target for the share of energy from renewable sources in gross final energy consumption adopted in the relevant decision of the Ministerial Council of the Energy Community has been achieved or if electricity generated from renewable sources contributes at least 50% to gross final electricity consumption. | Fully compliant |  |  |  |
| Article 12paragraph 3 point а | it has well-functioning intraday and other wholesale and balancing markets and that those markets are fully accessible to all market participants in accordance with this Regulation; |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 12 paragraph 3 point b | redispatching rules and congestion management are transparent to all market participants; |  |  |  | Not transpossed | Full compliance will be achieved by adopting another legal act in the field of energy. | Within nine months from the date of entry into force of this law |  |
| Article 12 paragraph 3 point c | the national contribution of the Member State towards the Union's binding overall target for share of energy from renewable sources under Article 3(2) of Directive (EU) 2018/2001 of the European Parliament and of the Council (18) and point (a)(2) of Article 4 of Regulation (EU) 2018/1999 of the European Parliament and of the Council (19) is at least equal to the corresponding result of the formula set out in Annex II to Regulation (EU) 2018/1999 and the Member State's share of energy from renewable sources is not below its reference points under point (a)(2) of Article 4 of Regulation (EU) 2018/1999, or alternatively, the Member State's share of energy from renewable sources in gross final electricity consumption is at least 50 %;  |  |  |  | Not transpossed |  |  | This paragraph applies to the Member States of the European Union. |
| Article 12paragraph 3 point d | the Member State has notified the planned derogation to the Commission setting out in detail how the conditions set out under points (a), (b) and (c) are fulfilled; and |  |  |  | Not transpossed |  |  | This paragraph applies to the Member States of the European Union. |
| Article 12 paragraph 3 point e | the Member State has published the planned derogation, including the detailed reasoning for the granting of that derogation, taking due account of the protection of commercially sensitive information where required. Any derogation shall avoid retroactive changes that affect generating installations already benefiting from priority dispatch, notwithstanding any agreement between a Member State and the operator of a generating installation on a voluntary basis. Without prejudice to Article s 107, 108 and 109 TFEU, Member States may provide incentives to installations eligible for priority dispatch to voluntarily give up priority dispatch. |  |  |  | Not transpossed |  |  | This paragraph applies to the Member States of the European Union. |
| Article 12paragraph 4 | Without prejudice to Article s 107, 108 and 109 TFEU, Member States may provide for priority dispatch for electricity generated in power-generating facilities using high-efficiency cogeneration with an installed electricity capacity of less than 400 kW.  | DEL | Article 298paragraph (1) | (1)The threshold for installed capacity of power plants from renewable energy sources and highly efficient cogeneration plants, which shall have priority access to electricity systems and priority dispatch of the produced electricity, as stipulated in Article 104 paragraph (2) item 1 of this Law, shall be set at 400 kW from the date of entry into force of this Law until 31 December 2025. | Fully compliant |  |  |  |
| Article 12paragraph 5 | For power-generating facilities commissioned as from 1 January 2026, point (a) of paragraph 2 shall apply only to power-generating facilities that use renewable energy sources and have an installed electricity capacity of less than 200 kW.  | DEL | Article 298paragraph (2) | (2) The threshold for installed capacity of power plants from renewable energy sources and highly efficient cogeneration plants, which shall have priority access to electricity systems and priority dispatch of the produced electricity, as stipulated in Article 104 paragraph (2) item 1 of this Law, shall be set at 200 kW from 1 January 2026. | Fully compliant |  |  |  |
| Article 12paragraph 6 | Without prejudice to contracts concluded before 4 July 2019, power-generating facilities that use renewable energy sources or high-efficiency cogeneration and were commissioned before 4 July 2019 and, when commissioned, were subject to priority dispatch under Article 15(5) of Directive 2012/27/EU or Article 16(2) of Directive 2009/28/EC of the European Parliament and of the Council (20) shall continue to benefit from priority dispatch. Priority dispatch shall no longer apply to such power-generating facilities from the date on which the power-generating facility becomes subject to significant modifications, which shall be deemed to be the case at least where a new connection agreement is required or where the generation capacity of the power-generating facility is increased. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 12paragraph 7 | Priority dispatch shall not endanger the secure operation of the electricity system, shall not be used as a justification for curtailment of cross-zonal capacities beyond what is provided for in Article 16 and shall be based on transparent and non-discriminatory criteria.  | DEL | Article 104paragraph (1) | Dispatching of electricity generation capacities and demand-side management capacities shall be carried out in a transparent and non-discriminatory manner under market conditions, unless otherwise provided for by this Law. | Fully compliant |  |  |  |
| Article 13paragraph 1 | The redispatching of generation and redispatching of demand response shall be based on objective, transparent and non-discriminatory criteria. It shall be open to all generation technologies, all energy storage and all demand response, including those located in other Member States unless technically not feasible.  | DEL | Article 157paragraph (1) | The electricity transmission system operator shall redispatch generation and demand on the basis of fair, transparent and non-discriminatory criteria in order to overcome physical congestion in the electricity network and interconnectors. Redispatching shall apply to generation facilities regardless of the type of technology, energy storage facilities and demand response service providers (hereinafter: redispatchable resources) in the Republic of North Macedonia or, if technically feasible, in another counterparty to the Energy Community or in a Member State of the European Union. | Fully compliant |  |  |  |
| Article 13paragraph 2 | The resources that are redispatched shall be selected from among generating facilities, energy storage or demand response using market-based mechanisms and shall be financially compensated. Balancing energy bids used for redispatching shall not set the balancing energy price. | DEL | Article 157paragraph (2) | The resources to be redispatched shall be selected by applying market mechanisms and shall be entitled to financial compensation for redispatching. If balancing energy is offered for redispatching, this shall not affect the determination of the price of energy on the balancing energy market. | Fully compliant |  |  |  |
| Article 13paragraph 3 | Non-market-based redispatching of generation, energy storage and demand response may only be used where:  | DEL | Article 157paragraph (3) | The electricity transmission system operator may redispatch using non-market-based mechanisms only if: | Fully compliant |  |  |  |
| Article 13 paragraph 3 point а | no market-based alternative is available; | DEL | Article 157paragraph (3) point 1 | 1. there is no market-based alternative available; | Fully compliant |  |  |  |
| Article 13paragraph 3 point b | all available market-based resources have been used; | DEL | Article 157paragraph (3)point 2 | 2. all available resources available using market-based mechanisms have been used; | Fully compliant |  |  |  |
| Article 13paragraph 3 point c | the number of available power generating, energy storage or demand response facilities is too low to ensure effective competition in the area where suitable facilities for the provision of the service are located; or | DEL | Article 157paragraph (3)point 3 | 3. the number of all available generation facilities, storage facilities and demand-side service offerings at locations from which they could offer the service is insufficient to ensure effective competition; | Fully compliant |  |  |  |
| Article 13paragraph 3 point d | the current grid situation leads to congestion in such a regular and predictable way that market-based redispatching would lead to regular strategic bidding which would increase the level of internal congestion and the Member State concerned either has adopted an action plan to address this congestion or ensures that minimum available capacity for cross-zonal trade is in accordance with Article 16(8). | DEL | Article 157paragraph (3) point 4 | 4. the current state of the electricity network leads to congestion that occurs in a recurring and predictable manner, such that redispatching under market conditions would regularly trigger bidding strategies that increase the level of congestion. | Fully compliant |  |  |  |
| Article 13 paragraph 4 point а | The transmission system operators and distribution system operators shall report at least annually to the competent regulatory authority, on: the level of development and effectiveness of market-based redispatching mechanisms for power generating, energy storage and demand response facilities; | DEL | Article 157paragraph (5)point 2 | The electricity transmission system operator and the electricity distribution system operators shall submit an annual report on redispatching to the Energy Regulatory Commission, in which they shall specify in particular: the level of development and effectiveness of the market mechanisms for redispatching for individual resources; | Fully compliant |  |  |  |
| Article 13paragraph 4 point b | the reasons, volumes in MWh and type of generation source subject to redispatching; | DEL | Article 157paragraph (5) point 3 | the reasons, energy quantities in MWh and type of primary energy of the electricity generation plants involved in redispatching using market and non-market based mechanisms, and | Fully compliant |  |  |  |
| Article 13paragraph 4 point c | the measures taken to reduce the need for the downward redispatching of generating installations using renewable energy sources or high-efficiency cogeneration in the future including investments in digitalisation of the grid infrastructure and in services that increase flexibility. The regulatory authority shall submit the report to ACER and shall publish a summary of the data referred to in points (a), (b) and (c) of the first subparagraph together with recommendations for improvement where necessary.  | DEL | Article 157paragraph (5)point 4 | the measures taken to reduce the need for downward redispatching of electricity generation plants using renewable energy sources or high-efficiency cogeneration, including investments in digitalisation of the network infrastructure and services for increased system adaptability. | Fully compliant |  |  |  |
| Article 13paragraph 5 point а | Subject to requirements relating to the maintenance of the reliability and safety of the grid, based on transparent and non-discriminatory criteria established by the regulatory authorities, transmission system operators and distribution system operators shall: (a) guarantee the capability of transmission networks and distribution networks to transmit electricity produced from renewable energy sources or high-efficiency cogeneration with minimum possible redispatching, which shall not prevent network planning from taking into account limited **Bidding zone review**  where the transmission system operator or distribution system operator is able to demonstrate in a transparent way that doing so is more economically efficient and does not exceed 5 % of the annual generated electricity in installations which use renewable energy sources and which are directly connected to their respective grid, unless otherwise provided by a Member State in which electricity from power-generating facilities using renewable energy sources or high-efficiency cogeneration represents more than 50 % of the annual gross final consumption of electricity;  | DEL  | Article 157 paragraph (7) точки 1, 2 и 3 | (7) If the criteria for maintaining the reliability and security of the electricity transmission or distribution network set out in the relevant network rules are met, the electricity transmission system operator and the electricity distribution system operators shall ensure:1. ability of the electricity transmission network and the electricity distribution networks to transmit electricity generated from renewable energy sources or highly efficient combined cycle plants with the least possible redispatching;2. notwithstanding the requirement referred to in item 1 of this paragraph, the need for limited redispatching shall be taken into account in the planning of the network infrastructure where the relevant operator demonstrates, in a transparent manner, that this achieves economic efficiency;3. the envisaged redispatching referred to in item 2 of this paragraph shall not exceed 5% of the annual electricity generation generated by the facilities referred to in item 1 of this paragraph; | Fully compliant |  |  |  |
| Article 13 paragraph 5 point b | take appropriate grid-related and market-related operational measures in order to minimise the downward redispatching of electricity produced from renewable energy sources or from high-efficiency cogeneration; | DEL | Article 157 paragraph (7) point 4 | 4. appropriate network and market-oriented operational measures to minimise downward redispatching of electricity generated by the facilities referred to in item 1 of this paragraph, and | Fully compliant |  |  |  |
| Article 13paragraph 5 point c | ensure that their networks are sufficiently flexible so that they are able to manage them.  | DEL | Article 157 paragraph (7) point 5 | 5. flexibility services sufficient to enable the networks to meet the requirements referred to in item 1 of this paragraph. | Fully compliant |  |  |  |
| Article 13paragraph 6 | Where non-market-based downward redispatching is used, the following principles shall apply: | DEL | Article 157 paragraph (9) | If downward redispatching is used by implementing non-market-based procedures, the electricity transmission system operator shall apply the following rules: | Fully compliant |  |  |  |
| Article 13paragraph 6 point а | power-generating facilities using renewable energy sources shall only be subject to downward redispatching if no other alternative exists or if other solutions would result in significantly disproportionate costs or severe risks to network security; | DEL | Article 157 paragraph (9)point 1 | 1. generation plants using renewable energy sources shall be subject to downward redispatching only if no other measure or other generating capacities are available for redispatching or if the application of an alternative solution would cause disproportionately higher costs or risks to the security of the network; | Fully compliant |  |  |  |
| Article 13paragraph 6 point b | electricity generated in a high-efficiency cogeneration process shall only be subject to downward redispatching if, other than downward redispatching of power-generating facilities using renewable energy sources, no other alternative exists or if other solutions would result in disproportionate costs or severe risks to network security; | DEL | Article 157 paragraph (9)point 2 | 2. highly efficient combined cycle plants shall be subject to downward redispatching only if no other measure or other generation capacities for redispatching are available, other than downward redispatching of generation plants using renewable energy sources, or if the application of an alternative solution would cause disproportionately higher costs or risks to the security of the network, and | Fully compliant |  |  |  |
| Article 13 paragraph 6 point c | self-generated electricity from generating installations using renewable energy sources or high-efficiency cogeneration which is not fed into the transmission or distribution network shall not be subject to downward redispatching unless no other solution would resolve network security issues;  | DEL | Article 157 paragraph (9)point 3 | 3. the generation of electricity for own needs by the plants referred to in items 1 and 2 of this paragraph, which have the technical possibility of transferring the production to the electricity transmission network, shall be subject to redispatching only if no other solution can address the security needs or risks in the network. | Fully compliant |  |  |  |
| Article 13paragraph 6 point d | downward redispatching under points (a), (b) and (c)shall be duly and transparently justified. The justification shall be included in the report under paragraph 3.  |  | Article 157 paragraph (5) point 3 | 3. the reasons, energy quantities in MWh and type of primary energy of the electricity generation plants involved in redispatching using market and non-market based mechanisms, | Fully compliant |  |  |  |
| Article 13 paragraph 7 | Where non-market based redispatching is used, it shall be subject to financial compensation by the system operator requesting the redispatching to the operator of the redispatched generation, energy storage or demand response facility except in the case of producers that have accepted a connection agreement under which there is no guarantee of firm delivery of energy. Such financial compensation shall be at least equal to the higher of the following elements or a combination of both if applying only the higher would lead to an unjustifiably low or an unjustifiably high compensation:  |  | Article 157 paragraph (11) point 2 | (11) The compensation referred to in paragraph (10) of this Article shall be equal to the higher of the following elements:2. the net profit from the sale of electricity on the day-ahead market that the energy generation or storage unit or demand response unit would have generated without the redispatching request. If the energy generation or storage unit or demand response unit has been granted financial support valued on the basis of the volume of electricity generated or consumed, the amount of financial support that it would have received without the redispatching request shall be considered part of the net profit. | Fully compliant |  |  |  |
| Article 13paragraph 7 point а | additional operating cost caused by the redispatching, such as additional fuel costs in the case of upward redispatching, or backup heat provision in the case of downward redispatching of power-generating facilities using high-efficiency cogeneration;  | DEL | Article 157 paragraph (11) point 1 | (11) The compensation referred to in paragraph (10) of this Article shall be equal to the higher of the following elements:1. the additional operating costs caused by the redispatching, such as the costs of additional fuel quantities in the case of upward redispatching or of additional heat energy in the case of downward redispatching of a combined cycle plant, | Fully compliant |  |  |  |
| Article 13 paragraph 7 point b | net revenues from the sale of electricity on the day-ahead market that the power-generating, energy storage or demand response facility would have generated without the redispatching request; where financial support is granted to power-generating, energy storage or demand response facilities based on the electricity volume generated or consumed, financial support that would have been received without the redispatching request shall be deemed to be part of the net revenues.  | DEL | Article 157 paragraph (11) point 2 | (11) The compensation referred to in paragraph (10) of this Article shall be equal to the higher of the following elements:2. the net profit from the sale of electricity on the day-ahead market that the energy generation or storage unit or demand response unit would have generated without the redispatching request. If the energy generation or storage unit or demand response unit has been granted financial support valued on the basis of the volume of electricity generated or consumed, the amount of financial support that it would have received without the redispatching request shall be considered part of the net profit. | Fully compliant |  |  |  |
| Article 14paragraph 1 | Member States shall take all appropriate measures to address congestions. Bidding zone borders shall be based on long-term, structural congestions in the transmission network. Bidding zones shall not contain such structural congestions unless they have no impact on neighbouring bidding zones, or, as a temporary exemption, their impact on neighbouring bidding zones is mitigated through the use of remedial actions and those structural congestions do not lead to reductions of cross-zonal trading capacity in accordance with the requirements of Article 16. The configuration of bidding zones in the Union shall be designed in such a way as to maximise economic efficiency and to maximise cross-zonal trading opportunities in accordance with Article 16, while maintaining security of supply.  | DEL | Article 152paragraph (2) | The electricity transmission system operator shall determine its proposal for the configuration of the bidding zone borders based on long-term structural congestion in the transmission network, in order to ensure:1. removal of long-term structural congestion in the transmission network, unless they affect adjacent bidding zones or, as a temporary exception, their impact on adjacent bidding zones can be removed by using corrective measures and such congestion will not lead to a reduction in the cross-zonal capacity available for trading at the bidding zone borders in accordance with the conditions of Article 155 of this Law, and2. maximum economic efficiency and maximum opportunities for trading between bidding zones in the coordinated capacity calculation region to which the Republic of North Macedonia belongs, while maintaining security of supply. | Fully compliant |  |  |  |
| Article 14paragraph 2 | Every three years, the ENTSO for Electricity shall report on structural congestions and other major physical congestions between and within bidding zones, including the location and frequency of such congestions, in accordance with the capacity allocation and congestion management guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009. That report shall contain an assessment of whether the cross-zonal trade capacity reached the linear trajectory pursuant to Article 15 or the minimum capacity pursuant to Article 16 of this Regulation.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 14paragraph 3 | In order to ensure an optimal configuration of bidding zones, a bidding zone review shall be carried out. That review shall identify all structural congestions and shall include an analysis of different configurations of bidding zones in a coordinated manner with the involvement of affected stakeholders from all relevant Member States, in accordance with the capacity allocation and congestion management guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009. Current bidding zones shall be assessed on the basis of their ability to create a reliable market environment, including for flexible generation and load capacity, which is crucial to avoiding grid bottlenecks, balancing electricity demand and supply, securing the long-term security of investments in network infrastructure.  |  | Article 152paragraph (4) | In order to identify all structural congestions and to propose and consider different configurations of the bidding zone to determine its optimal configuration, the electricity transmission system operator shall cooperate with the Energy Regulatory Commission, ENTSO-E and the electricity transmission system operators from the coordinated capacity calculation region in which the Republic of North Macedonia participates and shall provide the necessary information and support in the preparation of the bidding zones overview prepared by ENTSO-E. | Fully compliant |  |  |  |
| Article 14paragraph 4 | For the purposes of this Article and of Article 15 of this Regulation, relevant Member States, transmission system operators or regulatory authorities are those Member States, transmission system operators or regulatory authorities participating in the review of the bidding zone configuration and also to those in the same capacity calculation region pursuant to the capacity allocation and congestion management guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009.  |  | Article 152 paragraph (5) | If the report referred to in paragraph (3) or in the review referred to in paragraph (4) of this Article or in the report of one or more electricity transmission system operators on their control areas approved by one or more competent regulatory bodies indicates structural congestion in the electricity transmission system of the Republic of North Macedonia, the Energy Regulatory Commission, in cooperation with the electricity transmission system operator and the affected users of the electricity transmission network shall: | Fully compliant |  |  |  |
| Article 14 paragraph 5 | By 5 October 2019 all relevant transmission system operators shall submit a proposal for the methodology and assumptions that are to be used in the bidding zone review process and for the alternative bidding zone configurations to be considered to the relevant regulatory authorities for approval. The relevant regulatory authorities shall take a unanimous decision on the proposal within 3 months of submission of the proposal. Where the regulatory authorities are unable to reach a unanimous decision on the proposal within that time frame, ACER shall, within an additional three months, decide on the methodology and assumptions and the alternative bidding zone configurations to be considered. The methodology shall be based on structural congestions which are not expected to be overcome within the following three years, taking due account of tangible progress on infrastructure development projects that are expected to be realised within the following three years.  | DEL | Article 60 paragraph (2) point 3 | When fulfilling the obligations set out in paragraph (1) of this Article , the Energy Regulatory Commission shall submit:3. an assessment of the need and an initiative for a revision of the bidding zone configuration, based on a recommendation from the ECRB or ACER; | Fully compliant |  |  |  |
| Article 14paragraph 6 | On the basis of the methodology and assumptions approved pursuant to paragraph 5, the transmission system operators participating in the bidding zone review shall submit a joint proposal to the relevant Member States or their designated competent authorities to amend or maintain the bidding zone configuration no later than 12 months after approval of the methodology and assumptions pursuant to paragraph 5. Other Member States, Energy Community Contracting Parties or other third countries sharing the same synchronous area with any relevant Member State may submit comments.  | DEL | Article 143 paragraph (6) point 1 | The Energy Regulatory Commission shall individually approve the following TSMs prepared by the electricity transmission system operator:1. revision of the bidding zone boundaries’ configuration in its control area if the revision has a negligible impact on the control areas of neighbouring operators and interconnectors and contributes to improving the efficiency or security of system operation; | Fully compliant |  |  |  |
| Article 14paragraph 7 | Where structural congestion has been identified in the report pursuant to paragraph 2 of this Article or in the bidding zone review pursuant to this Article or by one or more transmission system operators in their control areas in a report approved by the competent regulatory authority, the Member State with identified structural congestion shall, in cooperation with its transmission system operators, decide, within six months of receipt of the report, either to establish national or multinational action plans pursuant to Article 15, or to review and amend its bidding zone configuration. Those decisions shall be immediately notified to the Commission and to ACER.  |  | Article 144paragraph (2)point 4 | The electricity transmission system operator, together with the electricity transmission system operators of the capacity calculation region, shall prepare and submit for approval to the Energy Regulatory Commission and other regulatory bodies in the relevant TSM region, with deadlines for commencement of their application, which shall regulate:4. the joint proposal for determining the configuration of the control block. | Fully compliant |  |  |  |
| Article 14paragraph 8 | For those Member States that have opted to amend the bidding zone configuration pursuant to paragraph 7, the relevant Member States shall reach a unanimous decision within six months of the notification referred to in paragraph 7. Other Member States may submit comments to the relevant Member States, who should take account of those comments when reaching their decision. The decision shall be reasoned and shall be notified to the Commission and ACER. In the event that the relevant Member States fail to reach a unanimous decision within those six months, they shall immediately notify the Commission thereof. As a measure of last resort, the Commission after consulting ACER shall adopt a decision whether to amend or maintain the bidding zone configuration in and between those Member States by six months after receipt of such a notification.  | DEL | Article 152 paragraph (8) | The decision referred to in paragraph (7) of this Article shall be reasoned and shall be immediately submitted to the Energy Community Secretariat and the ECRB, and if the proposal is not submitted or the decision is not adopted within the stipulated deadline, the Energy Regulatory Commission shall state the reasons for the failure to submit the proposal or the failure to adopt the decision and shall apply the appropriate decision adopted by the ECRB to maintain the existing or determine a new configuration of the bidding zone boundaries. | Fully compliant |  |  |  |
| Article 14paragraph 9 | Member States and the Commission shall consult relevant stakeholders before adopting a decision under this Article .  | DEL | Article 152paragraph (7) | The Ministry, by itself or with the competent authorities of the countries in the capacity calculation region that have decided to change the configuration of the bidding zone, shall adopt a decision within six months of the submitted proposal, taking into account the opinions of other Member States of the European Union and counterparties of the Energy Community in the same capacity calculation region. | Fully compliant |  |  |  |
| Article 14paragraph 10 | Any decision adopted under this Article shall specify the date of implementation of any changes. That implementation date shall balance the need for expeditiousness with practical considerations, including forward trade of electricity. The decision may establish appropriate transitional arrangements.  | DEL | Article 152paragraph (6) | The proposal referred to in paragraph (5) item 2 of this Article shall specify the date for commencement of the changed configuration’s application, which should allow for a period for adjustment of the arrangements for deferred electricity trading agreed within the previous zone configuration. | Fully compliant |  |  |  |
| Article 14paragraph 11 | Where further bidding zone reviews are launched under the capacity allocation and congestion management guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009, this Article shall apply.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 15paragraph 1 | Following the adoption of a decision pursuant to Article 14(7), the Member State with identified structural congestion shall develop an action plan in cooperation with its regulatory authority. That action plan shall contain a concrete timetable for adopting measures to reduce the structural congestions identified within four years of the adoption of the decision pursuant to Article 14(7). | DEL | Article 153paragraph (1) | Within six months from the date of receipt of the proposal referred to in Article 152 paragraph (5) item 1 of this Law, the Ministry shall prepare, and upon prior opinion from the Energy Regulatory Commission, adopt an action plan for reducing the identified structural congestion in the electricity transmission network, which shall be implemented over a period not exceeding four years, with a timetable for implementation of the measures contained in the plan. | Fully compliant |  |  |  |
| Article 15paragraph 2 | Irrespective of the concrete progress of the action plan, Member States shall ensure that without prejudice to derogations granted under Article 16(9) or deviations under Article 16(3), the cross-zonal trade capacity is increased on an annual basis until the minimum capacity provided for in Article 16(8) is reached. That minimum capacity shall be reached by 31 December 2025. Those annual increases shall be achieved by means of a linear trajectory. The starting point of that trajectory shall be either the capacity allocated at the border or on a critical network element in the year before adoption of the action plan or the average during the three years before adoption of the action plan, whichever is higher. Member States shall ensure that, during the implementation of their action plans the capacity made available for cross-zonal trade to be compliant with Article 16(8) is at least equal to the values of the linear trajectory, including by use of remedial actions in the capacity calculation region. | DEL | Article 152paragraph (2) | The electricity transmission system operator shall determine its proposal for the configuration of the bidding zone borders based on long-term structural congestion in the transmission network, in order to ensure:1. removal of long-term structural congestion in the transmission network, unless they affect adjacent bidding zones or, as a temporary exception, their impact on adjacent bidding zones can be removed by using corrective measures and such congestion will not lead to a reduction in the cross-zonal capacity available for trading at the bidding zone borders in accordance with the conditions of Article 155 of this Law, and2. maximum economic efficiency and maximum opportunities for trading between bidding zones in the coordinated capacity calculation region to which the Republic of North Macedonia belongs, while maintaining security of supply. | Fully compliant |  |  |  |
| Article 15paragraph 3 | The cost of the remedial actions necessary to achieve the linear trajectory referred to in paragraph 2 or make available cross-zonal capacity at the borders or on critical network elements concerned by the action plan shall be borne by the Member State or Member States implementing the action plan.  | DEL | Article 153paragraph (4) | The costs of providing the necessary cross-zonal capacity in accordance with the trajectory referred to in paragraph (2) of this Article and the costs foreseen in accordance with the action plan referred to in paragraph (1) of this Article and for the corrective actions undertaken referred to in paragraph (3) of this Article , shall be borne by the electreicity transmission system operator. | Fully compliant |  |  |  |
| Article 15paragraph 4 | On an annual basis, during the implementation of the action plan and within six months of its expiry, the relevant transmission system operators shall assess for the previous 12 months whether the available cross-border capacity has reached the linear trajectory or, from 1 January 2026, the minimum capacities provided for in Article 16(8) have been achieved. They shall submit their assessments to ACER and to the relevant regulatory authorities. Before drafting the report, each transmission system operator shall submit its contribution to the report, including all the relevant data, to its regulatory authority for approval.  | DEL | Article 153paragraph (5) | The electreicity transmission system operator, independently or in cooperation with other affected electreicity transmission system operators, shall annually, during the implementation of the action plan referred to in paragraph (1) of this Article and six months after the conclusion of its implementation, prepare a report with an assessment of the achievement of the linear trajectory referred to in paragraph (2) of this Article in the previous 12 months. The electreicity transmission system operator shall submit to the Energy Regulatory Commission for approval the report or the data for the report if it is prepared at regional level. The electreicity transmission system operator shall submit the approved report to the ECRB and to the Ministry for further action. | Fully compliant |  |  |  |
| Article 15paragraph 5 | For those Member States for which the assessments referred to in paragraph 4 demonstrate that a transmission system operator has not complied with the linear trajectory, the relevant Member States shall, within six months of receipt of the assessment report referred to in paragraph 4, decide unanimously whether to amend or maintain the bidding zone configuration within and between those Member States. In their decision, the relevant Member States should take account of any comments submitted by other Member States. The relevant Member States' decision shall be substantiated and shall be notified to the Commission and to ACER. The relevant Member States shall notify the Commission immediately if they fail to reach a unanimous decision within the timeframe laid down. Within six months of receipt of such notification, the Commission, as a last resort and after consulting ACER and the relevant stakeholders shall adopt a decision whether to amend or maintain the bidding zone configuration in and between those Member States. | DEL | Article 153paragraph (6) | If the report referred to in paragraph (5) of this Article shows that the linear trajectory referred to in paragraph (2) of this Article has not been achieved, the Ministry shall, within six months from the date of receipt of the report, independently or in full coordination with the competent bodies of the affected Contracting Parties to the Energy Community or Member States of the European Union, adopt a decision to change or maintain the configuration of the bidding zone. When adopting the decision, the Ministry shall take into account the opinions submitted by other Contracting Parties to the Energy Community or Member States of the European Union. The Ministry shall submit the decision with appropriate reasoning to the Energy Community Secretariat and the ECRB. | Fully compliant |  |  |  |
| Article 15paragraph 6 | Six months before the expiry of the action plan, the Member State with identified structural congestion shall decide whether to address remaining congestion by amending its bidding zone or whether to address remaining internal congestion with remedial actions for which it shall cover the costs.  | DEL | Article 153paragraph (9) | In order to eliminate congestion in the electricity transmission network that occurred in the period of six months before the expiration of the action plan referred to in paragraph (1) of this Article , the Ministry shall adopt a decision on:1. changing the configuration of the bidding zone in accordance with Article 152 paragraph (5) item 2 of this Law, or2. undertaking corrective actions at the expense of the electricity transmission system operator. | Fully compliant |  |  |  |
| Article 15 paragraph 7 | Where no action plan is established within six months of identification of structural congestion pursuant to Article 14(7), the relevant transmission system operators shall, within 12 months of identification of such structural congestion, assess whether the available cross-border capacity has reached the minimum capacities provided for in Article 16(8) during the previous 12 months and shall submit an assessment report to the relevant regulatory authorities and to ACER. Before drafting the report, each transmission system operator shall send its contribution to the report, including all relevant data, to its national regulatory authority for approval. Where the assessment demonstrates that a transmission system operator has not complied with the minimum capacity, the decision-making process laid down in paragraph 5 of this Article shall apply.  | DEL | Article 153paragraph (10) | If, within a period of six months from the date of receipt of the report on identified structural congestion referred to in Article 152 paragraph (3) of this Law, the action plan referred to in paragraph (1) of this Article has not been adopted, the electricity transmission system operator shall, within 12 months from the date of receipt of the report, assess whether, during the past 12 months, the available cross-border capacity has reached the minimum threshold set out in Article 155 paragraph (2) of this Law and submit a report on the assessment for approval to the Energy Regulatory Commission, which shall submit the approved report to the ECRB. | Fully compliant |  |  |  |
| Article 16paragraph 1 | Network congestion problems shall be addressed with non-discriminatory market-based solutions which give efficient economic signals to the market participants and transmission system operators involved. Network congestion problems shall be solved by means of non-transaction-based methods, namely methods that do not involve a selection between the contracts of individual market participants. When taking operational measures to ensure that its transmission system remains in the normal state, the transmission system operator shall take into account the effect of those measures on neighbouring control areas and coordinate such measures with other affected transmission system operators as provided for in Regulation (EU) 2015/1222. | DEL | Article 154paragraph (1) | For the purpose of management of congestion in the electricity transmission network, the electricity transmission system operator shall apply:1. non-discriminatory market-based mechanisms providing price signals to market participants, network users and electricity transmission system operators concrned;2. methods that are not based on electricity transactions and that do not discriminate or select between the contracts of individual market participants;3. measures for safe operation of the electricity transmission system that have minimal impact on the adjacent control areas and coordinate such measures with the concerned electricity transmission system operators, and4. measure that interrupts or reduces the volume of the allocated capacity transaction only in emergency situations where the electricity transmission system operator must act quickly and when adequate redispatching is not available, with any such procedure being applied in a limited, short-term and proportionate and non-discriminatory manner, and providing the concerned market participants whose volume of the allocated capacity transaction is interrupted or constrained, except in cases of force majeure, with appropriate compensation. | Fully compliant |  |  |  |
| Article 16paragraph 2 | Transaction curtailment procedures shall be used only in emergency situations, namely where the transmission system operator must act in an expeditious manner and redispatching or countertrading is not possible. Any such procedure shall be applied in a non-discriminatory manner. Except in cases of force majeure, market participants that have been allocated capacity shall be compensated for any such curtailment.  | DEL | Article 154Paragraphs (2) and (3) | (2) The electricity transmission system operator shall not limit the volume of transmission capacity available on an interconnector in the bidding zone in order to overcome congestion or to manage electricity flows from internal transactions in the bidding zone.(3) In order to use an overloaded or congested interconnector to its maximum capacity whenever possible, the electricity transmission system operator shall offset the transmission capacity requests of electricity flows in mutually opposite directions and shall not refuse transactions that relieve the system from congestion, if this does not compromise the security of the electricity transmission system. | Fully compliant |  |  |  |
| Article 16paragraph 3 | Regional coordination centres shall carry out coordinated capacity calculation in accordance with paragraphs 4 and 8 of this Article , as provided for in point (a) of Article 37(1) and in Article 42(1). Regional coordination centres shall calculate cross-zonal capacities respecting operational security limits using data from transmission system operators including data on the technical availability of remedial actions, not including load shedding. Where regional coordination centres conclude that those available remedial actions in the capacity calculation region or between capacity calculation regions are not sufficient to reach the linear trajectory pursuant to Article 15(2) or the minimum capacities provided for in paragraph 8 of this Article while respecting operational security limits, they may, as a measure of last resort, set out coordinated actions reducing the cross-zonal capacities accordingly. Transmission system operators may deviate from coordinated actions in respect of coordinated capacity calculation and coordinated security analysis only in accordance with Article 42(2). By 3 months after the entry into operation of the regional coordination centres pursuant to Article 35(2) of this Regulation and every three months thereafter, the regional coordination centres shall submit a report to the relevant regulatory authorities and to ACER on any reduction of capacity or deviation from coordinated actions pursuant to the second subparagraph and shall assess the incidences and make recommendations, if necessary, on how to avoid such deviations in the future. If ACER concludes that the prerequisites for a deviation pursuant to this paragraph are not fulfilled or are of a structural nature, ACER shall submit an opinion to the relevant regulatory authorities and to the Commission. The competent regulatory authorities shall take appropriate action against transmission system operators or regional coordination centres pursuant to Article 59 or 62 of Directive (EU) 2019/944 if the prerequisites for a deviation pursuant to this paragraph were not fulfilled. Deviations of a structural nature shall be addressed in an action plan referred to in Article 14(7) or in an update of an existing action plan. | DEL | Article 154Paragraphs (5), (6), (7), (8) and (9) | (5) The electricity transmission system operator shall submit to the Regional Coordination Centre all data used for the coordinated calculation of cross-zonal transmission capacities available for trading, including data on the technical availability of corrective actions without supply restrictions and operational security limits, methods of generation change, corrective measures, confidentiality margin and limitation of previously allocated cross-zonal capacity. (6) The electricity transmission system operator shall implement all measures, recommendations and instructions of the Regional Coordination Centre aimed at achieving the linear trajectory in accordance with Article 153 paragraph (2) of this Law or the maximum available transmission capacity in accordance with Article 155 paragraph (2) item 1 of this Law, and, if necessary, shall update the existing one or adopt a new action plan.(7) The electricity transmission system operator may not deviate from the implementation of the activities for coordinated calculation of transmission capacities and coordinated security analysis, except in accordance with Article 161 paragraph (6) of this Law. Based on an opinion received from the ECRB and/or ACER, the Energy Regulatory Commission shall take appropriate measures against the transmission system operator, if the preconditions for deviation have not been met.(8) In the procedure for allocating the costs of corrective actions between transmission system operators, the Energy Regulatory Commission, together with the regulatory bodies in the coordinated capacity calculation region, shall determine to what extent the flows resulting from internal transactions in bidding zones contribute to congestion on the borders between adjacent bidding zones. (9) The Energy Regulatory Commission shall determine the costs referred to in paragraph (8) of this Article , calculated on the basis of the contribution to congestion caused by such flows, which shall be allocated to the electricity transmission system operators in the bidding zones that generate those flows, unless those flows are below the level that could be expected without structural congestion in the bidding zone, confirmed by the electricity transmission system operators in the coordinated capacity calculation region separately for each bidding zone border and approved by the regulatory bodies in the region. | Fully compliant |  |  |  |
| Article 16paragraph 4 | The maximum level of capacity of the interconnections and the transmission networks affected by cross-border capacity shall be made available to market participants complying with the safety standards of secure network operation. Counter-trading and redispatch, including cross-border redispatch, shall be used to maximise available capacities to reach the minimum capacity provided for in paragraph 8. A coordinated and non-discriminatory process for cross-border remedial actions shall be applied to enable such maximisation, following the implementation of a redispatching and counter-trading cost-sharing methodology.  | DEL | Article 155Paragraphs (1) and (3) | (1) The electricity transmission system operator shall provide, allocate and, if necessary, increase cross-border capacities, manage cross-border flows in the electricity transmission network of the Republic of North Macedonia and make available to market participants the maximum available transmission capacity of the interconnectors and parts of the network of the Republic of North Macedonia that are exposed to cross-border flows, by applying the rules and standards for safe operation of the electricity transmission system in order not to endanger the supply of electricity in the Republic of North Macedonia and in the coordinated capacity calculation region.(3) The maximum transmission capacity available, as well as the minimum reserved transmission capacity referred to in paragraph (2) of this Article , shall be achieved through counter-trading and redispatching measures, including cross-border redispatching and through coordinated and non-discriminatory application of cross-border corrective actions, whereby the electricity transmission system operator shall apply a methodology approved by the Energy Regulatory Commission for allocation of redispatching and counter-trading costs. | Fully compliant |  |  |  |
| Article 16paragraph 5 | Capacity shall be allocated by means of explicit capacity auctions or implicit auctions including both capacity and energy. Both methods may coexist on the same interconnection. For intraday trade, continuous trading, which may be complemented by auctions, shall be used.  | DEL | Article 155paragraph (4) | The electricity transmission system operator shall determine the percentage of the total transmission capacity available of each interconnector allocated in each time frame. The right to use cross-border transmission capacity shall be granted for each timeframe separately, through:1. mechanisms for regionally coordinated explicit capacity auctions in any timeframe or for bilaterally coordinated explicit capacity auctions for interconnectors or timeframes for which regionally coordinated auctions are not used, and/or 2. implicit auctions for day-ahead and/or intraday timeframes upon electricity market coupling, whereby the relevant transmission capacity is granted together with the right to execute the transaction on the electricity market, or3. continuous trading of transmission capacity, in addition to intraday capacity auctions. | Fully compliant |  |  |  |
| Article 16paragraph 6 | In the case of congestion, the valid highest value bids for network capacity, whether implicit or explicit, offering the highest value for the scarce transmission capacity in a given timeframe, shall be successful. Other than in the case of new interconnectors which benefit from an exemption under Article 7 of Regulation (EC) No 1228/2003, Article 17 of Regulation (EC) No 714/2009 or Article 63 of this Regulation, establishing reserve prices in capacity-allocation methods shall be prohibited.  | DEL | Article 155paragraph (5) | If the market coupling does not allow, in part or in full, implicit allocation of transmission capacity within the timeframe referred to in paragraph (4) item 2 of this Article , a fallback procedure shall be used for the explicit allocation of the unallocated capacity within that timeframe in accordance with paragraph (4) item 1 of this Article . Different types of auctions referred to in paragraph (4) of this Article may be applied simultaneously to the same interconnector. In the event of congestion, priority shall be given to the transmission capacity validly allocated at a higher price within the relevant timeframe, regardless of the type of procedure in which it has been allocated. | Fully compliant |  |  |  |
| Article 16paragraph 7 | Capacity shall be freely tradable on a secondary basis, provided that the transmission system operator is informed sufficiently in advance. Where a transmission system operator refuses any secondary trade (transaction), this shall be clearly and transparently communicated and explained to all the market participants by that transmission system operator and notified to the regulatory authority.  | DEL | Article 155paragraph (6) | The holder may resell the right to use the explicitly allocated transmission capacity within each timeframe on a secondary market operated by the electricity transmission system operator, if the bid is submitted to the operator before the deadline set for the timeframe to which the bid relates. The electricity transmission system operator, upon prior approval by the Energy Regulatory Commission, shall adopt and publish on its website rules and procedures for participation in the secondary transmission capacity market. If it determines that there are justified reasons, the electricity transmission system operator may refuse a transaction for resale on the secondary market and shall notify the Energy Regulatory Commission and all participants in the electricity market of the reasons. | Fully compliant |  |  |  |
| Article 16paragraph 8 | Transmission system operators shall not limit the volume of interconnection capacity to be made available to market participants as a means of solving congestion inside their own bidding zone or as a means of managing flows resulting from transactions internal to bidding zones. Without prejudice to the application of the derogations under paragraphs 3 and 9 of this Article and to the application of Article 15(2), this paragraph shall be considered to be complied with where the following minimum levels of available capacity for cross-zonal trade are reached:  for borders using a coordinated net transmission capacity approach, the minimum capacity shall be 70 % of the transmission capacity respecting operational security limits after deduction of contingencies, as determined in accordance with the capacity allocation and congestion management guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009; for borders using a flow-based approach, the minimum capacity shall be a margin set in the capacity calculation process as available for flows induced by cross-zonal exchange. The margin shall be 70 % of the capacity respecting operational security limits of internal and cross-zonal critical network elements, taking into account contingencies, as determined in accordance with the capacity allocation and congestion management guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009. The total amount of 30 % can be used for the reliability margins, loop flows and internal flows on each critical network element. | DEL | Article 155paragraph (2) | The conditions for releasing the maximum available transmission capacity to system users, except for the exceptions from Article 106 of this Law and the exceptions from Article 161 paragraph (6) of this Law, as well as the exemptions from paragraph (12) of this Article , shall be deemed to be met when the available capacity for cross-zonal trade is above the following thresholds:1. for the borders on which the coordinated net transmission capacity calculation approach is used, the lower limit of available capacity is 70% of the transmission capacity while respecting the operational security limits after deducting the contingency reserve, preferably calculated according to the methodology applied in the coordinated capacity calculation;2. for the borders where the capacity calculation approach based on energy flows is used, the lower limit of available capacity is the margin determined in the process of calculating the capacity available for flows caused by cross-border exchange, which should be equal to 70% of the transmission capacity while respecting the operational security limits for internal and cross-zonal critical network elements, taking into account the contingency reserve, preferably calculated according to the methodology applied in the coordinated capacity calculation, and3. for the reliability margins, circular energy flows and internal energy flows of all critical network elements, a maximum of 30% of the transmission capacity may be used. | Fully compliant |  |  |  |
| Article 16paragraph 9 | At the request of the transmission system operators in a capacity calculation region, the relevant regulatory authorities may grant a derogation from paragraph 8 on foreseeable grounds where necessary for maintaining operational security. Such derogations, which shall not relate to the curtailment of capacities already allocated pursuant to paragraph 2, shall be granted for no more than one-year at a time, or, provided that the extent of the derogation decreases significantly after the first year, up to a maximum of two years. The extent of such derogations shall be strictly limited to what is necessary to maintain operational security and they shall avoid discrimination between internal and cross-zonal exchanges. Before granting a derogation, the relevant regulatory authority shall consult the regulatory authorities of other Member States forming part of the affected capacity calculation regions. Where a regulatory authority disagrees with the proposed derogation, ACER shall decide whether it should be granted pursuant to point (a) of Article 6(10) of Regulation (EU) 2019/942. The justification and reasons for the derogation shall be published. Where a derogation is granted, the relevant transmission system operators shall develop and publish a methodology and projects that shall provide a long-term solution to the issue that the derogation seeks to address. The derogation shall expire when the time limit for the derogation is reached or when the solution is applied, whichever is earlier.  | DEL | Article 155Paragraphs (10), (12) and (13) | (10) The Energy Regulatory Commission, upon the proposal of the electricity transmission system operator, shall adopt rules for determining liability for failure to fulfill obligations in the allocation of transmission capacities, which shall contain a methodology for calculating the financial consequences and the manner of their compensation. (12) Upon a previous reasoned request submitted and published by the electricity transmission system operator and in accordance with all regulatory bodies from the coordinated capacity calculation region, the Energy Regulatory Commission may adopt a decision approving exemption from fulfilling the condition of paragraph (2) of this Article , on a predictable basis for the purpose of maintaining operational security, whereby the reasons for the exemption shall be published on its website. An exemption that does not relate to a reduction in capacity that has already been allocated may be approved for an uninterrupted period not exceeding one year or, if the scope of the exemption is significantly reduced after the first year, for a period of up to two years. The scope of the exemption shall be limited to the level necessary to maintain the operational security of the electricity transmission system, and there shall be no discrimination between internal and inter-zonal exchange.(13) For each exemption approved, the electricity transmission system operator shall prepare and, upon prior approval by the Energy Regulatory Commission, publish a methodology for eliminating the reasons for failure to meet the target for minimum level of available transmission capacity referred to in paragraph (2) of this Article and a plan for investment projects with long-term solutions to the issues for which the exemption has been issued, including deadlines for their implementation. | Fully compliant |  |  |  |
| Article 16paragraph 10 | Market participants shall inform the transmission system operators concerned within a reasonable period in advance of the relevant operational period whether they intend to use allocated capacity. Any allocated capacity that is not going to be used shall be made available again to the market, in an open, transparent and non-discriminatory manner.  | DEL | Article 155paragraph (7) | The market participant shall be obliged to notify the electricity transmission system operator of its intention to use, or to return the right to use the allocated transmission capacity, in part or in full, within a certain period of time before the opening of trading, i.e. the activation of the transmission capacity within a certain time frame and to receive confirmation of availability. If the notification is not submitted, is submitted not in timely manner, is submitted inappropriately, or does not indicate the intention to use or return the right to use the allocated transmission capacity, it shall be deemed that the market participant has waived the right to use the allocated capacity within that time frame. The electricity transmission system operator shall make available to the market any transmission capacity that will not be used, in a transparent and non-discriminatory manner. | Fully compliant |  |  |  |
| Article 16paragraph 11 | As far as technically possible, transmission system operators shall net the capacity requirements of any power flows in opposite directions over the congested interconnection line in order to use that line to its maximum capacity. Having full regard to network security, transactions that relieve the congestion shall not be refused.  | DEL | Article 155paragraph (3) | The maximum transmission capacity available, as well as the minimum reserved transmission capacity referred to in paragraph (2) of this Article , shall be achieved through counter-trading and redispatching measures, including cross-border redispatching and through coordinated and non-discriminatory application of cross-border corrective actions, whereby the electricity transmission system operator shall apply a methodology approved by the Energy Regulatory Commission for allocation of redispatching and counter-trading costs. | Partially compliant |  |  |  |
| Article 16paragraph 12 | The financial consequences of a failure to honour obligations associated with the allocation of capacity shall be attributed to the transmission system operators or NEMOs who are responsible for such a failure. Where market participants fail to use the capacity that they have committed to use, or, in the case of explicitly auctioned capacity, fail to trade capacity on a secondary basis or give the capacity back in due time, those market participants shall lose the rights to such capacity and shall pay a cost-reflective charge. Any cost-reflective charges for the failure to use capacity shall be justified and proportionate. If a transmission system operator does not fulfil its obligation of providing firm transmission capacity, it shall be liable to compensate the market participant for the loss of capacity rights. Consequential losses shall not be taken into account for that purpose. The key concepts and methods for the determination of liabilities that accrue upon failure to honour obligations shall be set out in advance in respect of the financial consequences, and shall be subject to review by the relevant regulatory authority.  | DEL | Article 155Paragraphs (8), (9)(10) and (11) | (8) If the market participant does not use the allocated transmission capacity whose availability within the relevant timeframe has been confirmed in accordance with paragraph (7) of this Article , if it does not offer the unused allocated capacity for sale on the secondary market for the relevant timeframe in accordance with paragraph (6) of this Article , or does not return to the transmission system operator the right to use the allocated capacity within the relevant timeframe within the deadline specified in paragraph (7) of this Article , it shall pay compensation corresponding to the estimated value of the unrealized energy transfer determined by the methodology referred to in paragraph (10) of this Article , but not for other subsequent losses.(9) If the electricity transmission system operator, independently or in shared responsibility with NEMO, for reasons not caused by the market participant, fails to provide the confirmed transmission capacity, it shall be obliged to pay the market participant compensation arising from the loss of the right to use the capacity, determined by applying the methodology referred to in paragraph (10) of this Article , but not for other consequential losses.(10) The Energy Regulatory Commission, upon the proposal of the electricity transmission system operator, shall adopt rules for determining liability for failure to fulfill obligations in the allocation of transmission capacities, which shall contain a methodology for calculating the financial consequences and the manner of their compensation. (11) The financial implications of paragraph (9) of this Article shall be borne by the electricity transmission system operator or NEMO, while the financial implications of paragraph (8) of this Article shall be borne by the market participant who has not used the available capacity in accordance with the assumed responsibility. | Fully compliant |  |  |  |
| Article 16paragraph 13 | When allocating costs of remedial actions between transmission system operators, regulatory authorities shall analyse to what extent flows resulting from transactions internal to bidding zones contribute to the congestion between two bidding zones observed, and allocate the costs based on the contribution to the congestion to the transmission system operators of the bidding zones creating such flows except for costs induced by flows resulting from transactions internal to bidding zones that are below the level that could be expected without structural congestion in a bidding zone. That level shall be jointly analysed and defined by all transmission system operators in a capacity calculation region for each individual bidding zone border, and shall be subject to the approval of all regulatory authorities in the capacity calculation region.  | DEL | Article 155paragraph (16) | When allocating the costs of corrective actions to overcome structural congestion between the electricity transmission system operator and the operators of the transmission systems concerned, the Energy Regulatory Commission shall assess to what extent the flows resulting from internal transactions of the bidding zone contribute to congestion on the borders with neighbouring bidding zones and shall determine the costs of the electricity transmission system operator on that basis, unless those costs are below the level that could be expected without the structural congestion in the bidding zone. | Fully compliant |  |  |  |
| Article 17paragraph 1 | Transmission system operators shall recalculate available cross-zonal capacity at least after day-ahead gate closure times and after intraday cross-zonal gate closure times. Transmission system operators shall allocate the available cross-zonal capacity plus any remaining cross-zonal capacity not previously allocated and any cross-zonal capacity released by physical transmission right holders from previous allocations in the following cross-zonal capacity allocation process.  | DEL | Article 156paragraph (1) | (1) The electricity transmission system operator shall, after the intraday or day-ahead gate closure time, calculate and reallocate for each subsequent timeframe the total cross-zonal transmission capacity available, which shall consist of the sum of:1. available cross-zonal capacity that has been pre-scheduled for allocation in the current timeframe;2. remaining cross-zonal capacity that has not previously been allocated to market participants, and3. any cross-zonal capacity allocated in previous allocations in any wider timeframe that the user has waived or not used. | Fully compliant |  |  |  |
| Article 17paragraph 2 | Transmission system operators shall propose an appropriate structure for the allocation of cross-zonal capacity across timeframes, including day-ahead, intraday and balancing. That allocation structure shall be subject to review by the relevant regulatory authorities. In drawing up their proposal, the transmission system operators shall take into account: (a) the characteristics of the markets;  (b) the operational conditions of the electricity system, such as the implications of netting firmly declared schedules; (c) the level of harmonisation of the percentages allocated to different timeframes and the timeframes adopted for the different cross-zonal capacity allocation mechanisms that are already in place.  | DEL | Article 156paragraph (2) | The electricity transmission system operator shall prepare and, upon prior approval by the Energy Regulatory Commission, adopt rules regulating the procedures for allocating cross-zonal capacity to enable use of capacity on the day-ahead market, the intraday market and for the purposes of cross-border balancing, taking into account in particular:1. the characteristics of the day-ahead market, the intraday market and the balancing energy market;2. the operational conditions in the electricity system and the consequences of settling confirmed schedules, and3. the consistency of the percentage values allocated to different time frames and the time frames adopted for the different mechanisms for allocating cross-zonal capacities that have already been established. | Fully compliant |  |  |  |
| Article 17paragraph 3 | Where cross-zonal capacity is available after the intraday cross-zonal gate closure time, transmission system operators shall use the cross-zonal capacity for the exchange of balancing energy or for the operation of the imbalance netting process. | DEL | Article 156paragraph (3) | If, during the allocation of the cross-zonal transmission capacity, there is capacity remaining that has not been allocated after the intraday gate closure time, the electricity transmission system operator shall use that capacity for exchange of balancing energy or in the process of settling imbalances. | Fully compliant |  |  |  |
| Article 17paragraph 4 | Where cross-zonal capacity is allocated for the exchange of balancing capacity or sharing of reserves pursuant to Article 6(8) of this Regulation, transmission system operators shall use the methodologies developed in the guideline on electricity balancing adopted on the basis of Article 6(11) of Regulation (EC) No 714/2009.  | DEL | Article 156paragraph (4) | When allocating the cross-zonal transmission capacities for exchange of balancing energy or for sharing the reserve capacity for balancing, the electricity transmission system operator shall use methodologies regulated by the rules for balancing energy market referred to in Article 127 of this Law. | Fully compliant |  |  |  |
| Article 17paragraph 5 | Transmission system operators shall not increase the reliability margin calculated pursuant to Regulation (EU) 2015/1222 due to the exchange of balancing capacity or sharing of reserves.  | DEL | Article 156paragraph (5) | The electricity transmission system operator may not, in the process of determining the cross-zonal transmission capacity, increase the reliability margin due to exchange of balancing energy and sharing of the reserve capacity for balancing. | Fully compliant |  |  |  |
| Article 18paragraph 1 | Charges applied by network operators for access to networks, including charges for connection to the networks, charges for use of networks, and, where applicable, charges for related network reinforcements, shall be cost-reflective, transparent, take into account the need for network security and flexibility and reflect actual costs incurred insofar as they correspond to those of an efficient and structurally comparable network operator and are applied in a non-discriminatory manner. Those charges shall not include unrelated costs supporting unrelated policy objectives. Without prejudice to Article 15(1) and (6) of Directive 2012/27/EU and the criteria in Annex XI to that Directive the method used to determine the network charges shall neutrally support overall system efficiency over the long run through price signals to customers and producers and in particular be applied in a way which does not discriminate positively or negatively between production connected at the distribution level and production connected at the transmission level. The network charges shall not discriminate either positively or negatively against energy storage or aggregation and shall not create disincentives for self-generation, self-consumption or for participation in demand response. Without prejudice to paragraph 3 of this Article , those charges shall not be distance-related.  | DEL | Article 99Paragraphоcи (1), (2), (7) и (8) | (1) Operators of transmission systems and electricity or gas distribution systems and heat distribution systems shall be obliged to enable connection to the relevant system to: 1. customers, producers and operators of electricity storage facilities that are connected to the electricity transmission or distribution system on the territory of the Republic of North Macedonia, and 2. gas or heat energy customers and users of the gas transmission system or gas or heat distribution systems in the area where the service is provided.(2) Operators of the transmission systems and the electricity or gas distribution systems and the heat distribution systems shall be obliged to regulate in the relevant network rules the manner, procedure, conditions and deadlines for adopting a decision on connecting and for connection to the network, as well as the methodology for calculating the connection fee.(7) The methodology for calculating the connection fee, which forms an integral part of the relevant network rules, shall take into account the consequences of the connection that will be suffered by other network users, the point of connection of the plants, facilities and devices for which connection is requested and the type of installation required for connection to the network, as well as the conclusions drawn in the Annual Plan for Construction of Energy Facilities and the approval for the electric power facilities.(8) The fee for connection to the network, as well as the fee for changing the energy parameters determined in the decision for connection to an existing user, shall be paid by the user and shall consist of a fee for installation of a connection or upgrading of the existing connection, as well as costs for creating technical conditions in the system for connection of new users or increasing the capacity of existing connections.  | Fully compliant |  |  |  |
| Article 18paragraph 2 | Tariff methodologies shall reflect the fixed costs of transmission system operators and distribution system operators and shall provide appropriate incentives to transmission system operators and distribution system operators over both the short and long run, in order to increase efficiencies, including energy efficiency, to foster market integration and security of supply, to support efficient investments, to support related research activities, and to facilitate innovation in interest of consumers in areas such as digitalisation, flexibility services and interconnection.  | DEL | Article 62paragraph (2) | With the decisions on tariffs adopted in accordance with the tariff systems referred to in paragraph (1) of this Article , the Energy Regulatory Commission shall ensure that the tariffs: 1. are determined and applied in a transparent and non-discriminatory manner;2. reflect the costs of entities carrying out energy activity; 3. do not include costs for actions taken by the entities carrying out regulated energy activities not related to the interest of network users or to the development of appropriate systems related to the given regulated activity; 4. do not use the funds collected on the electricity day-ahead or intraday market for activities in countries of a counter party or a member state other than the member state in which these funds were collected by NEMO;5. do not depend on the distance over which electricity or gas is transported through the transmission or distribution system for the needs of the system user, 6. take into account the long-term capital costs and operating costs of distributed generation and demand-side management measures. | Fully compliant |  |  |  |
| Article 18paragraph 3 | Where appropriate, the level of the tariffs applied to producers or final customers, or both shall provide locational signals at Union level, and take into account the amount of network losses and congestion caused, and investment costs for infrastructure.  | DEL | Article 62paragraph (8)point 8 |  When reviewing and approving tariffs, tariff elements or methodologies and charges for the electricity transmission or distribution network, as well as when assessing and approving measures to support generation, the Energy Regulatory Commission shall take into account the best relevant practices and applicable recommendations from the ECRB or ACER, which relate in particular to:8. relationship between tariffs and consumption profile; | Fully compliant |  |  |  |
| Article 18paragraph 4 | When setting the charges for network access, the following shall be taken into account: (a) payments and receipts resulting from the inter-transmission system operator compensation mechanism; (b) actual payments made and received as well as payments expected for future periods, estimated on the basis of previous periods.  | DEL | Article 61paragraph (7)point 3 Article 127paragraph (2)point 3 | When determining the revenues of the entities carrying out regulated energy activities in the regulations referred to in paragraph (1) of this Article , the following, among other things, shall be taken into account:3. revenues and costs of the electricity transmission system operator arising out of the mechanism for mutual compensation of electricity transmission system operators;(2) The rules for the balancing energy market shall be fair, transparent, non-discriminatory and market-oriented and shall in particular regulate:3. the price setting methodology for balancing services, as well as procedure for their calculation, invoicing and collection, which shall be non-discriminatory, shall reflect the actual costs incurred and enable the minimization of balancing costs; | Fully compliant |  |  |  |
| Article 18paragraph 5 | Setting the charges for network access under this Article shall be without prejudice to charges resulting from congestion management referred to in Article 16.  | DEL | Article 158paragraph (4) | The allocation of congestion revenue shall not disrupt the capacity allocation process in favour of any market participant, nor shall it negatively affect the congestion relief process. | Fully compliant |  |  |  |
| Article 18paragraph 6 | There shall be no specific network charge on individual transactions for cross-zonal trading of electricity.  | DEL |  |  | Not transpossed | Full compliance will be achieved by adopting another legal act in the field of energy. | Within nine months from the date of entry into force of this law |  |
| Article 18paragraph 7 | Distribution tariffs shall be cost-reflective taking into account the use of the distribution network by system users including active customers. Distribution tariffs may contain network connection capacity elements and may be differentiated based on system users' consumption or generation profiles. Where Member States have implemented the deployment of smart metering systems, regulatory authorities shall consider time-differentiated network tariffs when fixing or approving transmission tariffs and distribution tariffs or their methodologies in accordance with Article 59 of (EU) 2019/944 and, where appropriate, time-differentiated network tariffs may be introduced to reflect the use of the network, in a transparent, cost efficient and foreseeable way for the final customer.  | DEL | Article 62paragraph (4) | The Energy Regulatory Commission may decide: 1. tariffs for electricity transmission and distribution that apply at different intraday times to be introduced:1.1 in order for end-users to benefit from the rational use of networks in a transparent, predictable and cost-reflective manner, or1.2 if the Government has made a decision to introduce a system of smart metering devices in the Republic of North Macedonia, and 2. electricity distribution tariffs to reflect costs, taking into account: 2.1 the manner of use of the electricity distribution network by users, including active customers, and 2.2 the connection capacity and the user's generation and consumption profiles. | Fully compliant |  |  |  |
| Article 18paragraph 8 | Distribution tariff methodologies shall provide incentives to distribution system operators for the most cost- efficient operation and development of their networks including through the procurement of services. For that purpose regulatory authorities shall recognise relevant costs as eligible, shall include those costs in distribution tariffs, and may introduce performance targets in order to provide incentives to distribution system operators to increase efficiencies in their networks, including through energy efficiency, flexibility and the development of smart grids and intelligent metering systems.  | DEL | Article 166paragraph (3) | If the Energy Regulatory Commission determines that the effects of the use of flexibility services are positive, it shall allow the electricity distribution system operator to procure services from all market participants, including market participants offering energy from renewable sources, demand-side management service providers, energy storage facility operators and aggregators, on the basis of transparent, non-discriminatory and market-based procedures and standardized market products for flexibility services. | Fully compliant |  |  |  |
| Article 18paragraph 9 | By 5 October 2019 in order to mitigate the risk of market fragmentation ACER shall provide a best practice report on transmission and distribution tariff methodologies while taking account of national specificities. That best practice report shall address at least: (a) the ratio of tariffs applied to producers and tariffs applied to final customers; (b) the costs to be recovered by tariffs; (c) time-differentiated network tariffs; (d) locational signals; (e) the relationship between transmission tariffs and distribution tariffs; (f) methods to ensure transparency in the setting and structure of tariffs; (g) groups of network users subject to tariffs including, where applicable, the characteristics of those groups, forms of consumption, and any tariff exemptions; (h) losses in high, medium and low-voltage grids. ACER shall update the best practice report at least once every two years. | DEL | Article 62paragraph (8) | When reviewing and approving tariffs, tariff elements or methodologies and charges for the electricity transmission or distribution network, as well as when assessing and approving measures to support generation, the Energy Regulatory Commission shall take into account the best relevant practices and applicable recommendations from the ECRB or ACER, which relate in particular to:1. the impact of tariffs on the operations of electricity producers and energy storage operators, as well as on investment in new electricity generation and energy storage capacities;2. costs to be recovered through the tariff;3. location signals;4. tariff structure;5. time and seasonally dependent tariffs;6. relationship between transmission tariffs and distribution tariffs;7. relationship between tariffs for individual groups or categories of customers;8. relationship between tariffs and consumption profile;9. relationship between tariffs and network losses at different voltage levels;10. tariff transparency, and11. exceptions and exemptions from the obligation to pay tariffs.(9) The entities carrying out regulated energy activities shall be obliged to apply the prices or tariffs determined in the decisions on prices and tariffs adopted by applying the regulations and methodologies referred to in Article 61 of this Law and the tariff systems referred to in paragraph (1) of this Article . | Fully compliant |  |  |  |
| Article 18paragraph 10 | Regulatory authorities shall duly take the best practice report into consideration when fixing or approving transmission tariffs and distribution tariffs or their methodologies in accordance with Article 59 of Directive (EU) 2019/944. | DEL | Article 54 paragraph (1) point 1 потpoint 1.20 | (1) In order to exercise its competence, the Energy Regulatory Commission shall: 1. Adopt: 1.20. decisions on prices and tariffs for regulated energy activities and decisions on the highest selling prices of oil derivatives and transport fuels;  | Partially compliant | Full compliance will be achieved by adopting another legal act in the field of energy. | Within nine months from the date of entry into force of this law |  |
| Article 19paragraph 1 | Congestion-management procedures associated with a pre-specified timeframe may generate revenue only in the event of congestion which arises for that timeframe, except in the case of new interconnectors which benefit from an exemption under Article 63 of this Regulation, Article 17 of Regulation (EC) No 714/2009 or Article 7 of Regulation (EC) No 1228/2003. The procedure for the distribution of those revenues shall be subject to review by the regulatory authorities and shall neither distort the allocation process in favour of any party requesting capacity or energy nor provide a disincentive to reduce congestion. | DEL | Article 158 Paragraph (3), (6), (7) and (8)  | (3) The electricity transmission system operator shall not calculate or collect congestion charges for new interconnectors as defined in Article 106 of this Law.(6) If, after the allocation of the congestion revenue referred to in paragraph (5) of this Article , there are any remaining funds from the revenue, the Energy Regulatory Commission may decide to take such revenue into account as the operator's profit when approving the methodology for calculating the network tariff or when adopting the tariff, or in both cases. The electricity transmission system operator shall deposit the remaining revenue into its separate account in order to be used for the priorities referred to in paragraph (5) of this Article , when the conditions for that are created.(7) The electricity transmission system operator shall determine in advance the purpose of using the congestion revenue funds and shall submit a report to the Energy Regulatory Commission on the intended purpose of the revenues referred to in paragraph (5) of this Article and their realization.(8) The Energy Regulatory Commission shall submit a report on the use of congestion revenue to the ECRB, no later than 1 March each year, containing data on:1. the amount of congestion revenue in the previous calendar year;2. the manner of distribution of the revenue according to the priorities referred to in paragraph (5) of this Article , including the specific projects for which it has been used and the amount deposited in a separate account;3. the amount of funds referred to in paragraph (6) of this Article that are taken into account when calculating network tariffs, and4. the compliance of the use of congestion revenue determined according to the methodology referred to in paragraph (1) of this Article with the methodology for calculating the electricity transmission tariff. | Fully compliant |  |  |  |
| Article 19paragraph 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.  | DEL | Article 158paragraph (5) | (5) In the allocation of congestion revenues, priority shall be given to:1. guaranteeing the availability of physically allocated transmission capacity, including compensation for cancellation of allocated firm transmission capacity, and2. maintaining or increasing inter-zonal transmission capacity through optimal use of the existing interconnector through coordinated corrective actions or for reimbursing the costs of network investments required to reduce congestion or increase the capacity of the interconnector. | Fully compliant |  |  |  |
| Article 19paragraph 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.  |  | Article 158paragraph (6) | (6) If, after the allocation of the congestion revenue referred to in paragraph (5) of this Article , there are any remaining funds from the revenue, the Energy Regulatory Commission may decide to take such revenue into account as the operator's profit when approving the methodology for calculating the network tariff or when adopting the tariff, or in both cases. The electricity transmission system operator shall deposit the remaining revenue into its separate account in order to be used for the priorities referred to in paragraph (5) of this Article , when the conditions for that are created. | Fully compliant |  |  |  |
| Article 19paragraph 4 | The use of revenues in accordance with point (a) or (b) of paragraph 2 shall be subject to a methodology proposed by the transmission system operators after consulting regulatory authorities and relevant stakeholders and after approval by ACER. The transmission system operators shall submit the proposed methodology to ACER by 5 July 2020 and ACER shall decide on the proposed methodology within six months of receiving it. ACER may request transmission system operators to amend or update the methodology referred to in the first subparagraph. ACER shall decide on the amended or updated methodology not later than six months after its submission. The methodology shall set out at least the conditions under which the revenues can be used for the purposes referred to in paragraph 2, the conditions under which those revenues may be placed on a separate internal account line for future use for those purposes, and for how long those revenues may be placed on such an account line. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 19paragraph 5 | Transmission system operators shall clearly establish, in advance, how any congestion income will be used, and shall report to the regulatory authorities on the actual use of that income. By 1 March each year, the regulatory authorities shall inform ACER and shall publish a report setting out:  | DEL | Article 158paragraph (7) | (7) The electricity transmission system operator shall determine in advance the purpose of using the congestion revenue funds and shall submit a report to the Energy Regulatory Commission on the intended purpose of the revenues referred to in paragraph (5) of this Article and their realization. |  |  |  |  |
| Article 19paragraph 5 point а | the amount of revenue collected for the 12-month period ending on 31 December of the previous year; | DEL | Article 158paragraph (8) point 1 | 1. the amount of congestion revenue in the previous calendar year; | Fully compliant |  |  |  |
| Article 19paragraph 5 point b | how that revenue was used pursuant to paragraph 2, including the specific projects the income has been used for, and the amount placed on a separate account line;  | DEL | Article 158paragraph (8)point 2 | 2. the manner of distribution of the revenue according to the priorities referred to in paragraph (5) of this Article , including the specific projects for which it has been used and the amount deposited in a separate account; | Fully compliant |  |  |  |
| Article 19paragraph 5 point c | the amount that was used when calculating network tariffs; and |  | Article 158paragraph (8)point 3 | 3. the amount of funds referred to in paragraph (6) of this Article that are taken into account when calculating network tariffs,  | Fully compliant |  |  |  |
| Article 19paragraph 5 point d | verification that the amount referred to in point (c) complies with this Regulation and the methodology developed pursuant to paragraphs 3 and 4. Where some of the congestion revenues are used when calculating network tariffs, the report shall set out how the transmission system operators fulfilled the priority objectives set out in paragraph 2 where applicable. |  | Article 158paragraph (8)point 4 | 4. the compliance of the use of congestion revenue determined according to the methodology referred to in paragraph (1) of this Article with the methodology for calculating the electricity transmission tariff. | Fully compliant |  |  |  |
| Article 20paragraph 1 | Member States shall monitor resource adequacy within their territory on the basis of the European resource adequacy assessment referred to in Article 23. For the purpose of complementing the European resource adequacy assessment, Member States may also carry out national resource adequacy assessments pursuant to Article 24. |  | Article 20paragraph (1) | The transmission system operator shall prepare an assessment of resource adequacy in the Republic of North Macedonia, which shall be approved by the Ministry and which shall also include regional aspects, applying the methodology for preparing the European Assessment, taking into account:1. findings contained in the European Assessment, in particular the reference scenarios of projected electricity demand and supply;2. specifics in electricity supply and demand in the Republic of North Macedonia; 3. economic assessment of the possibilities for permanent or temporary closure of existing and construction of new electricity generation capacities;4. achieving the objectives for the development of interconnectors;5. situation with electricity markets in the region;6. achieving energy efficiency objectives, utilizing energy from renewable sources and reducing greenhouse gas emissions;7. sensitivity of the system to extreme weather and hydrological conditions, and 8. wholesale electricity prices. | Fully compliant |  |  |  |
| Article 20paragraph 2 | Where the European resource adequacy assessment referred to in Article 23 or national resource adequacy assessment referred to in Article 24 identifies a resource adequacy concern, the Member State concerned shall identify any regulatory distortions or market failures that caused or contributed to the emergence of the concern.  | DEL | Article 20paragraph (5) | If the assessment referred to in paragraph (1) of this Article indicates inadequacy of resources in the bidding zone not identified in the European Assessment, the reasons for the deviations between the two assessments shall be stated, including the assumptions and the sensitivity scenarios used. The operator shall notify the Ministry of resource inadequacy, and the Ministry shall submit the assessment to the Energy Community Secretariat. | Fully compliant |  |  |  |
| Article 20paragraph 3 | Member States with identified resource adequacy concerns shall develop and publish an implementation plan with a timeline for adopting measures to eliminate any identified regulatory distortions or market failures as a part of the State aid process. When addressing resource adequacy concerns, the Member States shall in particular take into account the principles set out in Article 3 and shall consider: (a) removing regulatory distortions; (b) removing price caps in accordance with Article 10;  (c) introducing a shortage pricing function for balancing energy as referred to in Article 44(3) of Regulation (EU) 2017/2195; (d) increasing interconnection and internal grid capacity with a view to reaching at least their interconnection targets as referred in point (d)(1) of Article 4 of Regulation (EU) 2018/1999; (e) enabling self-generation, energy storage, demand side measures and energy efficiency by adopting measures to eliminate any identified regulatory distortions; (f) ensuring cost-efficient and market-based procurement of balancing and ancillary services; (g) removing regulated prices where required by Article 5 of Directive (EU) 2019/944. | DEL | Article 21 paragraph (1) | (1) If the European Assessment or the resource adequacy assessment of the Republic of North Macedonia indicates resource inadequacy, the Ministry, in cooperation with the Energy Regulatory Commission and the electricity transmission and distribution system operators, shall identify whether the inadequacy is caused by deficiencies in the applicable regulations or the inadequate operation of the electricity market and, upon proposal by the Energy Regulatory Commission and the electricity transmission system operator, shall adopt and publish a plan for implementing measures to eliminate the identified deficiencies along with a timeframe for implementation of the plan, taking into account in particular the need for: 1. adopting measures to address deficiencies in the current regulations in order to enable adequate electricity generation for own needs, energy storage, demand-side management and energy efficiency; 2. removal of price restrictions on the wholesale electricity market, as well as on the balancing energy market; 3. introduction of a mechanism for determining the price for the deficit for balancing energy as a complement to the mechanism for settling imbalances and compensating for the costs of purchasing balancing energy;4. increasing the capacity of the interconnection lines and the electricity transmission network in the Republic of North Macedonia that is available to network users in order to achieve the objectives set out in the Integrated National Energy and Climate Plan;5. ensuring economically viable and market-based procurement of balancing and system services, and 6. achieving effective competition between suppliers by removing regulated electricity prices under Article 6 of this Law. | Fully compliant |  |  |  |
| Article 20paragraph 4 | The Member States concerned shall submit their implementation plans to the Commission for review.  | DEL | Article 21paragraph (2) | The Ministry shall submit the plan referred to in paragraph (1) of this Article to the Commission for Protection of Competition and to the Energy Community Secretariat for an opinion. If the Ministry deems it necessary or upon request from the Energy Community Secretariat, it shall make changes to the plan. | Fully compliant |  |  |  |
| Article 20paragraph 5 | Within four months of receipt of the implementation plan, the Commission shall issue an opinion on whether the measures are sufficient to eliminate the regulatory distortions or market failures that were identified pursuant to paragraph 2, and may invite the Member States to amend their implementation plans accordingly.  | DEL | Article 20paragraph (6) иArticle 21paragraph (4) | (6) If, within four months from the date of submission of the assessment referred to in paragraph (5) of this Article , the Ministry receives an opinion from the Energy Community Secretariat and if it deems it necessary, it shall oblige the transmission system operator to amend the assessment referred to in paragraph (1) of this Article . If the Ministry does not accept the opinion in its entirety, it shall prepare a report stating the reasons for the non-acceptance, and publish it together with the opinion of the Energy Community Secretariat and the assessment referred to in paragraph (1) of this Article on its website. (4) The plan referred to in paragraph (2) of this Article shall be implemented after the identified deficiencies in the resource adequacy assessment have been eliminated. | Fully compliant |  |  |  |
| Article 20paragraph 6 | The Member States concerned shall monitor the application of their implementation plans and shall publish the results of the monitoring in an annual report and shall submit that report to the Commission.  | DEL | Article 21paragraph (3) | The Ministry shall monitor the implementation of the plan referred to in paragraph (1) of this Article , for which it shall prepare an annual report, which it shall submit to the Energy Community Secretariat no later than 30 days from its preparation. | Fully compliant |  |  |  |
| Article 20paragraph 7 | The Commission shall issue an opinion on whether the implementation plans have been sufficiently implemented and whether the resource adequacy concern has been resolved.  |  |  |  | Not relevant for RNM |  |  | This provision applies to the Member States of the European Union. |
| Article 20paragraph 8 | Member States shall continue to adhere to the implementation plan after the identified resource adequacy concern has been resolved.  | DEL | Article 21paragraph (4) | The plan referred to in paragraph (2) of this Article shall be implemented after the identified deficiencies in the resource adequacy assessment have been eliminated. | Fully compliant |  |  |  |
| Article 21paragraph 1 | To eliminate residual resource adequacy concerns, Member States may, as a last resort while implementing the measures referred to in Article 20(3) of this Regulation in accordance with Article 107, 108 and 109 of the TFEU, introduce capacity mechanisms.  | DEL | Article 23paragraph (1) | In order to eliminate the remaining deficiencies identified in the resource adequacy assessment, and taking into account the measures from the plan referred to in Article 21 paragraph (1) of this Law, which have been implemented and are insufficient, the Government, upon a proposal by the Ministry, may adopt a decision to introduce a capacity mechanism as a last resort in implementing the measures contained in the plan. | Fully compliant |  |  |  |
| Article 21paragraph 2 | Before introducing capacity mechanisms, the Member States concerned shall conduct a comprehensive study of the possible effects of such mechanisms on the neighbouring Member States by consulting at least its neighbouring Member States to which they have a direct network connection and the stakeholders of those Member States.  | DEL | Article 23paragraph (2) | The Government shall adopt the decision referred to in paragraph (1) of this Article based on the findings of the study on the effects of the introduction of the capacity mechanism on the electricity transmission systems and electricity markets in the neighbouring counter parties of the Energy Community and the Member States of the European Union, which shall be prepared by the electricity transmission system operator for the needs of the Ministry. The study shall include an assessment of the possible effects of the capacity mechanism on neighbouring countries through consultations with stakeholders in the countries with which there is a direct interconnection of the electricity transmission networks. | Fully compliant |  |  |  |
| Article 21paragraph 3 | Member States shall assess whether a capacity mechanism in the form of strategic reserve is capable of addressing the resource adequacy concerns. Where this is not the case, Member States may implement a different type of capacity mechanism.  | DEL | Article 23paragraph (3) | Before adopting the decision referred to in paragraph (1) of this Article , and after previous opinion obtained from the Ministry, the Energy Regulatory Commission and the transmission system operator, the Government shall assess whether the capacity mechanism in the form of a strategic reserve is sufficient to eliminate the remaining deficiencies identified during the resource adequacy assessment. If the capacity mechanism in the form of a strategic reserve is not sufficient, the Government may decide to introduce another form of capacity mechanism. | Fully compliant |  |  |  |
| Article 21paragraph 4 | Member States shall not introduce capacity mechanisms where both the European resource adequacy assessment and the national resource adequacy assessment, or in the absence of a national resource adequacy assessment, the European resource adequacy assessment have not identified a resource adequacy concern.  | DEL | Article 23paragraph (5) | If the resource adequacy assessment in the Republic of North Macedonia and the European Assessment do not indicate resource inadequacy, the capacity mechanism shall not be introduced.  | Fully compliant |  |  |  |
| Article 21paragraph 5 | Member States shall not introduce capacity mechanisms before the implementation plan as referred to in Article 20(3) has received an opinion by the Commission as referred to in Article 20(5).  | DEL | Article 23paragraph (4) | The capacity mechanism determined by the decision referred to in paragraph (1) of this Article shall form an integral part of the plan referred to in Article 21 paragraph (1) of this Law and may be introduced only if an opinion by the Energy Community Secretariat has been received regarding the plan, in accordance with Article 21 paragraph (2) of this Law. | Fully compliant |  |  |  |
| Article 21paragraph 6 | Where a Member State applies a capacity mechanism, it shall review that capacity mechanism and shall ensure that no new contracts are concluded under that mechanism where both the European resource adequacy assessment and the national resource adequacy assessment, or in the absence of a national resource adequacy assessment, the European resource adequacy assessment have not identified a resource adequacy concern or the implementation plan as referred to in Article 20(3) has not received an opinion by the Commission as referred to in Article 20(5).  | DEL | Article 23paragraph (14) | The Ministry shall monitor the implementation of the capacity mechanism introduced and if the new assessment of resource adequacy in the Republic of North Macedonia or the European Assessment does not indicate resource inadequacy, no new capacity provision contracts shall be entered into. | Fully compliant |  |  |  |
| Article 21paragraph 7 | When designing capacity mechanisms Member States shall include a provision allowing for an efficient administrative phase-out of the capacity mechanism where no new contracts are concluded under paragraph 6 during three consecutive years.  | DEL | Article 23Paragraph (11)and (12) | (11) The Energy Regulatory Commission shall approve the capacity that the electricity transmission system operator procures by applying the mechanism referred to in paragraph (1) of this Article . (12) After the commencement of the capacity mechanism’s application specified in the decision referred to in paragraph (1) of this Article , the electricity transmission system operator shall enter into capacity provision contracts with electricity producers, energy storage operators and demand-side management service providers (hereinafter referred to as: capacity provider). | Partially compliant | Full compliance will be achieved by adopting another legal act in the field of energy. | Within nine months from the date of entry into force of this law |  |
| Article 21paragraph 8 | Capacity mechanisms shall be temporary. They shall be approved by the Commission for no longer than 10 years. They shall be phased out or the amount of the committed capacities shall be reduced on the basis of the implementation plans referred to in Article 20. Member States shall continue to apply the implementation plan after the introduction of the capacity mechanism. | DEL | Article 23Paragraph (13) (15) and (16) | (13) The capacity mechanism is temporary and cannot be applied for longer than 10 years. (15) If the European Assessment or the Resource Adequacy Assessment of the Republic of North Macedonia prepared after the introduction of the capacity mechanism has not identified any deficiencies in the adequacy of resources in the Republic of North Macedonia, the Government, upon a proposal by the Ministry, may adopt a decision: 1. abolishing the application of the capacity mechanism; 2. reducing the number of resources for providing capacity or3. reducing the capacity provided by the mechanism.(16) The plan referred to in Article 21, paragraph (1) of this Law shall be implemented even after the introduction of the capacity mechanism. | Fully compliant |  |  |  |
| Article 22paragraph 1 | Any capacity mechanism shall: (a) be temporary; (b) not create undue market distortions and not limit cross-zonal trade; (c) not go beyond what is necessary to address the adequacy concerns referred to in Article 20; (d) select capacity providers by means of a transparent, non-discriminatory and competitive process; (e) provide incentives for capacity providers to be available in times of expected system stress; (f) ensure that the remuneration is determined through the competitive process; (g) set out the technical conditions for the participation of capacity providers in advance of the selection process; (h) be open to participation of all resources that are capable of providing the required technical performance, including energy storage and demand side management; (i) apply appropriate penalties to capacity providers that are not available in times of system stress.  | DEL | Article 24paragraph (1) | (1) The capacity mechanism shall:1. not cause unnecessary market distortions and shall not restrict trade between bidding zones;2. be applied only to the extent necessary to overcome the identified deficiencies in the resource adequacy assessment referred to in Article 20 of this Law;3. ensure that the selection of resources for capacity provision is carried out in a transparent, non-discriminatory and competitive procedure, with predetermined technical conditions established by the transmission system operator and pre-approved by the Energy Regulatory Commission, which the resources in the selection procedure must meet;4. ensure equal right to participate in the selection procedure for production capacities, energy storage facilities and entities providing demand-side management services, if they meet the technical requirements; 5. encourage entities selected for capacity provision to ensure power availability in conditions of expected disruptions to the electricity system, as well as to provide punitive measures for entities that do not ensure the availability specified in the contract referred to in Article 23 paragraph (12) of this Law, and 6. ensure that the compensation awarded for providing capacity is determined in a transparent, non-discriminatory and competitive procedure. | Fully compliant |  |  |  |
| Article 22paragraph 2 | The design of strategic reserves shall meet the following requirements:where a capacity mechanism has been designed as a strategic reserve, the resources thereof are to be dispatched only if the transmission system operators are likely to exhaust their balancing resources to establish an equilibrium between demand and supply; (b) during imbalance settlement periods where resources in the strategic reserve are dispatched, imbalances in the market are to be settled at least at the value of lost load or at a higher value than the intraday technical price limit as referred in Article 10(1), whichever is higher; (c) the output of the strategic reserve following dispatch is to be attributed to balance responsible parties through the imbalance settlement mechanism; (d) the resources taking part in the strategic reserve are not to receive remuneration from the wholesale electricity markets or from the balancing markets; (e) the resources in the strategic reserve are to be held outside the market for at least the duration of the contractual period. The requirement referred to in point (a) of the first subparagraph shall be without prejudice to the activation of resources before actual dispatch in order to respect the ramping constraints and operating requirements of the resources. The output of the strategic reserve during activation shall not be attributed to balance groups through wholesale markets and shall not change their imbalances. | DEL | Article 24paragraph (2) | (2) If the decision referred to in Article 23, paragraph (1) of this Law determines that the capacity mechanism is in the form of a strategic reserve, in addition to the requirements referred to in paragraph (1) of this Article , the decision shall also establish an obligation to fulfill, in particular, the following conditions: 1. capacity to be dispatched only when it is likely that the transmission system operator has exhausted the resources to establish a balance between demand and supply;2. when during the imbalance settlement period the capacity from the strategic reserve is dispatched, the imbalances on the electricity market shall be financially settled according to the value of the undelivered electricity under Article 112 of this Law or if the maximum technical price limit on the intraday market determined by NEMO, in accordance with Article 111 of this Law, is higher than the value of the undelivered electricity, the imbalances shall be financially settled according to the maximum price limit on the day-ahead market;3. the capacity from the strategic reserve remaining after dispatching shall be allocated to the balance responsible party through the imbalance settlement mechanism; 4. for the duration of the capacity provision contract, the capacity resource shall not participate in the electricity markets and shall not receive compensation from the wholesale electricity market or the balancing energy market. | Fully compliant |  |  |  |
| Article 22paragraph 3 | In addition to the requirements laid down in paragraph 1, capacity mechanisms other than strategic reserves shall: (a) be constructed so as to ensure that the price paid for availability automatically tends to zero when the level of capacity supplied is expected to be adequate to meet the level of capacity demanded; (b) remunerate the participating resources only for their availability and ensure that the remuneration does not affect decisions of the capacity provider on whether or not to generate; (c) ensure that capacity obligations are transferable between eligible capacity providers. | DEL | Article 24paragraph (5) | (5) If the decision referred to in Article 23 paragraph (1) of this Law determines that the capacity mechanism is not in the form of a strategic reserve, in addition to the requirements referred to in paragraph (1) of this Article , the decision shall also establish an obligation to fulfill, in particular, the following requirements:1. price for capacity availability paid shall automatically decrease towards zero when the level of available capacity on the market is expected to be sufficient to meet the level of capacity required;2. the compensation for resources participating in the provision of capacity shall be determined solely by their availability and shall ensure that it will not influence the decisions of the capacity provider on whether to provide capacity, and 3. security obligations are transferable between qualified capacity providers. | Fully compliant |  |  |  |
| Article 22paragraph 4 | Capacity mechanisms shall incorporate the following requirements regarding CO2 emission limits: (a) from 4 July 2019 at the latest, generation capacity that started commercial production on or after that date and that emits more than 550 g of CO2 of fossil fuel origin per kWh of electricity shall not be committed or to receive payments or commitments for future payments under a capacity mechanism; (b) from 1 July 2025 at the latest, generation capacity that started commercial production before 4 July 2019 and that emits more than 550 g of CO2 of fossil fuel origin per kWh of electricity and more than 350 kg CO2 of fossil fuel origin on average per year per installed kWe shall not be committed or receive payments or commitments for future payments under a capacity mechanism. The emission limit of 550 g CO2 of fossil fuel origin per kWh of electricity and the limit of 350 kg CO2 of fossil fuel origin on average per year per installed kWe referred to in points (a) and (b) of the first subparagraph shall be calculated on the basis of the design efficiency of the generation unit meaning the net efficiency at nominal capacity under the relevant standards provided for by the International Organization for Standardization. By 5 January 2020, ACER shall publish an opinion providing technical guidance related to the calculation of the values referred in the first subparagraph. | DEL | Article 24paragraph (6) | (6) When determining the limit values for carbon dioxide emissions with the decision referred to in Article 23, paragraph (1) of this Law, it shall be determined that with the application of the capacity mechanism, no contracts shall be entered into or payments made for capacity provision with generation plants that:1. started commercial operation from 15 December, 2022, and that emit more than 550 grams of carbon dioxide from fossil fuels per kWh of electricity generated, and 2. no later than 1 July 2025, started commercial operation before 15 December 2022, and that emit more than 550 grams of carbon dioxide from fossil fuels per kWh of electricity generated and more than 350 kilograms (hereinafter: kg) of carbon dioxide from fossil fuels on average over one year for each kW of installed capacity.  | Fully compliant |  |  |  |
| Article 22paragraph 5 | Member States that apply capacity mechanisms on 4 July 2019 shall adapt their mechanisms to comply with Chapter 4 without prejudice to commitments or contracts concluded by 31 December 2019.  |  |  |  | Not transpossed | Full compliance will be achieved by adopting another legal act in the field of energy. | Within nine months from the date of entry into force of this law |  |
| Article 23paragraph 1 | The European resource adequacy assessment shall identify resource adequacy concerns by assessing the overall adequacy of the electricity system to supply current and projected demands for electricity at Union level, at the level of the Member States, and at the level of individual bidding zones, where relevant. The European resource adequacy assessment shall cover each year within a period of 10 years from the date of that assessment. | DEL | Article 19 | The transmission system operator shall submit to ENTSO-E the data necessary for the preparation of the resource adequacy assessment at the European Union level prepared by ENTSO-E (hereinafter: European Assessment), in particular the data on the expected utilization of generation capacities, taking into account the availability of primary energy and the scenarios for the forecast supply and demand of electricity. | Fully compliant |  |  |  |
| Article 23paragraph 2 | The European resource adequacy assessment shall be conducted by the ENTSO for Electricity.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 23paragraph 3 | By 5 January 2020, the ENTSO for Electricity shall submit to the Electricity Coordination Group set up under Article 1 of Commission Decision of 15 November 2012 (21) and ACER a draft methodology for the European resource adequacy assessment based on the principles provided for in paragraph 5 of this Article .  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 23paragraph 4 | Transmission system operators shall provide the ENTSO for Electricity with the data it needs to carry out the European resource adequacy assessment. The ENTSO for Electricity shall carry out the European resource adequacy assessment on an annual basis. Producers and other market participants shall provide transmission system operators with data regarding expected utilisation of the generation resources, taking into account the availability of primary resources and appropriate scenarios of projected demand and supply.  | DEL | Article 19Article 20 paragraph (8)  | The transmission system operator shall submit to ENTSO-E the data necessary for the preparation of the resource adequacy assessment at the European Union level prepared by ENTSO-E (hereinafter: European Assessment), in particular the data on the expected utilization of generation capacities, taking into account the availability of primary energy and the scenarios for the forecast supply and demand of electricity.(8) When preparing the resource adequacy assessment, the Ministry may request data from all stakeholders in the electricity sector. | Потполноусоdласен |  |  |  |
| Article 23paragraph 5 | The European resource adequacy assessment shall be based on a transparent methodology which shall ensure that the assessment:(a) is carried out on each bidding zone level covering at least all Member States; (b) is based on appropriate central reference scenarios of projected demand and supply including an economic assessment of the likelihood of retirement, mothballing, new-build of generation assets and measures to reach energy efficiency and electricity interconnection targets and appropriate sensitivities on extreme weather events, hydrological conditions, wholesale prices and carbon price developments; (c) contains separate scenarios reflecting the differing likelihoods of the occurrence of resource adequacy concerns which the different types of capacity mechanisms are designed to address;  (d) appropriately takes account of the contribution of all resources including existing and future possibilities for generation, energy storage, sectoral integration, demand response, and import and export and their contribution to flexible system operation; (e) anticipates the likely impact of the measures referred in Article 20(3); (f) includes variants without existing or planned capacity mechanisms and, where applicable, variants with such mechanisms; (g) is based on a market model using the flow-based approach, where applicable; (h) applies probabilistic calculations; (i) applies a single modelling tool; (j) includes at least the following indicators referred to in Article 25: — ‘expected energy not served’, and — ‘loss of load expectation’; (k) identifies the sources of possible resource adequacy concerns, in particular whether it is a network constraint, a resource constraint, or both; (l) takes into account real network development; (m) ensures that the national characteristics of generation, demand flexibility and energy storage, the availability of primary resources and the level of interconnection are properly taken into consideration. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 23paragraph 6 | By 5 January 2020, the ENTSO for Electricity shall submit to ACER a draft methodology for calculating: (a) the value of lost load; (b) the cost of new entry for generation, or demand response; and (c) the reliability standard referred to in Article 25. The methodology shall be based on transparent, objective and verifiable criteria.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 23paragraph 7 | The proposals under paragraphs 3 and 6 for the draft methodology, the scenarios, sensitivities and assumptions on which they are based, and the results of the European resource adequacy assessment under paragraph 4 shall be subject to the prior consultation of Member States, the Electricity Coordination Group and relevant stakeholders and approval by ACER under the procedure set out in Article 27.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 24paragraph 1 | shall have a regional scope and shall be based on the methodology referred in Article 23(3) in particular in points (b) to (m) of Article 23(5). National resource adequacy assessments shall contain the reference central scenarios as referred to in point (b) of Article 23(5). National resource adequacy assessments may take into account additional sensitivities to those referred in point (b) of Article 23(5). In such cases, national resource adequacy assessments may: (a) make assumptions taking into account the particularities of national electricity demand and supply; (b) use tools and consistent recent data that are complementary to those used by the ENTSO for Electricity for the European resource adequacy assessment. In addition, the national resource adequacy assessments, in assessing the contribution of capacity providers located in another Member State to the security of supply of the bidding zones that they cover, shall use the methodology as provided for in point (a) of Article 26(11). | DEL | Article 20paragraph (1) | (1) The transmission system operator shall prepare an assessment of resource adequacy in the Republic of North Macedonia, which shall be approved by the Ministry and which shall also include regional aspects, applying the methodology for preparing the European Assessment, taking into account:1. findings contained in the European Assessment, in particular the reference scenarios of projected electricity demand and supply;2. specifics in electricity supply and demand in the Republic of North Macedonia; 3. economic assessment of the possibilities for permanent or temporary closure of existing and construction of new electricity generation capacities;4. achieving the objectives for the development of interconnectors;5. situation with electricity markets in the region;6. achieving energy efficiency objectives, utilizing energy from renewable sources and reducing greenhouse gas emissions;7. sensitivity of the system to extreme weather and hydrological conditions, and 8. wholesale electricity prices. | Fully compliant |  |  |  |
| Article 24paragraph 2 | National resource adequacy assessments and, where applicable, the European resource adequacy assessment and the opinion of ACER pursuant to paragraph 3 shall be made publicly available.  | DEL | Article 20paragraph (2) | The transmission system operator and the Ministry shall publish the resource adequacy assessment no later than 31 October of each year on their websites. | Fully compliant |  |  |  |
| Article 24paragraph 3 | Where the national resource adequacy assessment identifies an adequacy concern with regard to a bidding zone that was not identified in the European resource adequacy assessment, the national resource adequacy assessment shall include the reasons for the divergence between the two resource adequacy assessments, including details of the sensitivities used and the underlying assumptions. Member States shall publish that assessment and submit it to ACER. Within two months of the date of the receipt of the report, ACER shall provide an opinion on whether the differences between the national resource adequacy assessment and the European resource adequacy assessment are justified. The body that is responsible for the national resource adequacy assessment shall take due account of ACER's opinion, and where necessary shall amend its assessment. Where it decides not to take ACER's opinion fully into account, the body that is responsible for the national resource adequacy assessment shall publish a report with detailed reasons. | DEL | Article 20paragraph (4) | In preparing the assessment referred to in paragraph (1) of this Article , the possible contribution of power providers, within the capacity mechanism located in a counter party to the Energy Community or a Member State of the European Union, to the security of supply of the bidding zones they cover shall be taken into account, using the methodology for calculating the maximum input capacity for the cross-border participation of power providers of electricity located in a counter party to the Energy Community or a Member State of the European Union, developed by ENTSO-E and approved by ACER. | Fully compliant |  |  |  |
| Article 25paragraph 1 | When applying capacity mechanisms Member States shall have a reliability standard in place. A reliability standard shall indicate the necessary level of security of supply of the Member State in a transparent manner. In the case of cross-border bidding zones, such reliability standards shall be established jointly by the relevant authorities.  | DEL | Article 22paragraph (1) | Before a decision to introduce the capacity mechanism under Article 23 paragraph (1) of this Law is adopted and before the Resource Adequacy Assessment of the Republic of North Macedonia is prepared, the Ministry shall introduce the reliability criterion, which shall transparently demonstrate the required level of security of electricity supply in the Republic of North Macedonia within a period defined by the Ministry. | Fully compliant |  |  |  |
| Article 25paragraph 2 | The reliability standard shall be set by the Member State or by a competent authority designated by the Member State, following a proposal by the regulatory authority. The reliability standard shall be based on the methodology set out in Article 23(6). | DEL | Article 22paragraph (2) and (3) | (2) In the event of a joint bidding zone, when the zone covers the territories of more than one country, the reliability criterion shall be developed in cooperation with the competent institutions of the countries.(3) Upon the proposal of the Energy Regulatory Commission, the Ministry shall adopt a decision to introduce the reliability criterion. | Fully compliant |  |  |  |
| Article 25paragraph 3 | The reliability standard shall be calculated using at least the value of lost load and the cost of new entry over a given timeframe and shall be expressed as ‘expected energy not served’ and ‘loss of load expectation’.  | DEL | Article 22paragraph (4) | Reliability criterion calculation shall take into account the values of lost load and the cost of building new capacities for a certain time interval at the least, with the criterion being expressed by the parameters "Expected Energy Not Served" and "Loss of Load Expectation". | Fully compliant |  |  |  |
| Article 25paragraph 4 | When applying capacity mechanisms, the parameters determining the amount of capacity procured in the capacity mechanism shall be approved by the Member State or by a competent authority designated by the Member State, on the basis of a proposal of the regulatory authority.  | DEL | Article 22paragraph (5) | (5) The reliability criterion shall be determined in accordance with the methodology developed by ENTSO-E and approved by ACER. | Fully compliant |  |  |  |
| Article 26paragraph 1 | **Approval procedure** Capacity mechanisms other than strategic reserves and where technically feasible, strategic reserves shall be open to direct cross-border participation of capacity providers located in another Member State, subject to the conditions laid down in this Article . | DEL | Article 25paragraph (1)  | (1) Capacity mechanism that is not in the form of a strategic reserve, and if technically feasible when it is in the form of a strategic reserve, should, under equal conditions and in a competitive manner, enable cross-border participation of capacity providers from Contracting Parties to the Energy Community and Member States of the European Union, who: 1. are directly connected to the electricity transmission system of the Republic of North Macedonia through an interconnection line, and 2. provide equal technical capabilities as domestic capacity providing resources.  | Fully compliant |  |  |  |
| Article 26paragraph 2 | Member States shall ensure that foreign capacity capable of providing equivalent technical performance to domestic capacities has the opportunity to participate in the same competitive process as domestic capacity. In the case of capacity mechanisms in operation on 4 July 2019, Member States may allow interconnectors to participate directly in the same competitive process as foreign capacity for a maximum of four years from 4 July 2019 or two years after the date of approval of the methodologies referred to in paragraph 11, whichever is earlier. Member States may require foreign capacity to be located in a Member State that has a direct network connection with the Member State applying the mechanism.  | DEL | Article 25paragraph (4) | The capacity provider that simultaneously provides capacity in multiple capacity mechanisms shall participate in the provision of capacity within the expected availability of the interconnection line and the possible load matching between the system where the mechanism is applied and the system of the Republic of North Macedonia, in accordance with the methodology for calculating the maximum entry capacity for cross-border participation referred to in Article 20, paragraph (4) of this Law. The Energy Regulatory Commission shall monitor the application of the methodology in the Republic of North Macedonia. | Fully compliant |  |  |  |
| Article 26paragraph 3 | Member States shall not prevent capacity which is located in their territory from participating in capacity mechanisms of other Member States.  | DEL | Article 25paragraph (2) | Domestic capacity providers shall be obliged to notify the transmission system operator immediately of their participation in a capacity mechanism in Contracting Parties to the Energy Community and Member States of the European Union. | Fully compliant |  |  |  |
| Article 26paragraph 4 | Cross-border participation in capacity mechanisms shall not change, alter or otherwise affect cross-zonal schedules or physical flows between Member States. Those schedules and flows shall be determined solely by the outcome of capacity allocation pursuant to Article 16.  | DEL | Article 25paragraph (3) | Cross-border participation in the capacity mechanism shall not change or otherwise affect the schedules for the allocation of cross-zonal transmission capacities or the physical flows of electricity between the counter parties of the Energy Community and the Member States of the European Union, determined in accordance with Article 155 of this Law. | Fully compliant |  |  |  |
| Article 26paragraph 5 | Capacity providers shall be able to participate in more than one capacity mechanism. Where capacity providers participate in more than one capacity mechanism for the same delivery period, they shall participate up to the expected availability of interconnection and the likely concurrence of system stress between the system where the mechanism is applied and the system in which the foreign capacity is located, in accordance with the methodology referred to in point (a) of paragraph 11.  | DEL | Article 25paragraph (4) | The capacity provider that simultaneously provides capacity in multiple capacity mechanisms shall participate in the provision of capacity within the expected availability of the interconnection line and the possible load matching between the system where the mechanism is applied and the system of the Republic of North Macedonia, in accordance with the methodology for calculating the maximum entry capacity for cross-border participation referred to in Article 20, paragraph (4) of this Law. The Energy Regulatory Commission shall monitor the application of the methodology in the Republic of North Macedonia. | Fully compliant |  |  |  |
| Article 26paragraph 6 | Capacity providers shall be required to make non-availability payments where their capacity is not available. Where capacity providers participate in more than one capacity mechanism for the same delivery period, they shall be required to make multiple non-availability payments where they are unable to fulfil multiple commitments.  | DEL | Article 25paragraph (5) | In accordance with the decision referred to in Article 23 paragraph (1) of this Law, the capacity provider shall be obliged to pay for the unavailability of the capacity it has offered. If the capacity provider simultaneously participates in multiple capacity mechanisms, it shall be obliged to make payments for unavailability of the capacity it has offered in each individual mechanism in which it participates.  | Fully compliant |  |  |  |
| Article 26paragraph 7 | For the purposes of providing a recommendation to transmission system operators, regional coordination centres established pursuant to Article 35 shall calculate on an annual basis the maximum entry capacity available for the participation of foreign capacity. That calculation shall take into account the expected availability of interconnection and the likely concurrence of system stress in the system where the mechanism is applied and the system in which the foreign capacity is located. Such a calculation shall be required for each bidding zone border. Transmission system operators shall set the maximum entry capacity available for the participation of foreign capacity based on the recommendation of the regional coordination centre on an annual basis.  | DEL | Article 25paragraph (6) | Based on the recommendation of the Regional Coordination Center, the electricity transmission system operator shall annually determine the maximum entry cross-border transmission capacity into the system of the Republic of North Macedonia and shall make it available in a transparent, non-discriminatory and market-based manner to each foreign capacity provider participating in the mechanism. Foreign capacity providers that have been allocated with the maximum entry cross-border transmission capacity may transfer the right to use the capacity to each other. The transmission system operator shall register each transfer of capacity in the register established by ENTSO-E for that purpose. | Fully compliant |  |  |  |
| Article 26paragraph 8 | Member States shall ensure that the entry capacity referred to in paragraph 7 is allocated to eligible capacity providers in a transparent, non-discriminatory and market-based manner.  | DEL | Article 25paragraph (10)point 2 | The Energy Regulatory Commission shall: 2. ensure that cross-border participation in the capacity mechanism is organised in an effective and non-discriminatory manner. | Fully compliant |  |  |  |
| Article 26 paragraph 9 | Where capacity mechanisms allow for cross-border participation in two neighbouring Member States, any revenues arising through the allocation referred to in paragraph 8 shall accrue to the transmission system operators concerned and shall be shared between them in accordance with the methodology referred in point (b) of paragraph 11 of this Article or in accordance with a common methodology approved by both relevant regulatory authorities. If the neighbouring Member State does not apply a capacity mechanism or applies a capacity mechanism which is not open to cross-border participation, the share of revenues shall be approved by the competent national authority of the Member State in which the capacity mechanism is implemented after having sought the opinion of the regulatory authorities of the neighbouring Member States. Transmission system operators shall use such revenues for the purposes set out in Article 19(2).  | DEL | Article 25paragraph (7) | All revenues arising out of the allocation of the maximum entry cross-border transmission capacity shall belong to the electricity transmission system operator of the Republic of North Macedonia and the electricity transmission system operator of the neighbouring country and shall be distributed by applying the revenue distribution methodology developed by ENTSO-E and approved by ACER or by applying a methodology jointly developed by the Energy Regulatory Commission and the regulatory body of the neighbouring counter party of the Energy Community or a Member State of the European Union. | Partially compliant | Full compliance will be achieved by adopting another legal act in the field of energy. | Within nine months from the date of entry into force of this law |  |
| Article 26paragraph 10 | The transmission system operator where the foreign capacity is located shall: (a) establish whether interested capacity providers can provide the technical performance as required by the capacity mechanism in which the capacity provider intends to participate, and register that capacity provider as an eligible capacity provider in a registry set up for that purpose; (b) carry out availability checks; (c) notify the transmission system operator in the Member State applying the capacity mechanism of the information it acquires under points (a) and (b) of this subparagraph and the second subparagraph. The relevant capacity provider shall notify the transmission system operator of its participation in a foreign capacity mechanism without delay. | DEL | Article 25paragraph (8) | (8) The electricity transmission system operator shall be obliged to: 1. determine that the domestic capacity provider has the technical capabilities to provide the capacity within the mechanism and to verify the availability of the offered capacity by the domestic capacity provider;2. confirm that the domestic capacity provider is registered as an eligible capacity provider in the register established for that purpose by ENTSO-E, and3. notify the electricity transmission system operator in the counter party to the Energy Community or the Member State of the European Union of the fulfilment of the requirements of items 1 and 2 of this paragraph by the capacity provider from the Republic of North Macedonia who participates in the capacity mechanism in that country.  | Fully compliant |  |  |  |
| Article 26paragraph 11 | By 5 July 2020 the ENTSO for Electricity shall submit to ACER: (a) a methodology for calculating the maximum entry capacity for cross-border participation as referred to in paragraph 7;  (b) a methodology for sharing the revenues referred to in paragraph 9; (c) common rules for the carrying out of availability checks referred to in point (b) of paragraph 10; (d) common rules for determining when a non-availability payment is due; (e) terms of the operation of the registry as referred to in point (a) of paragraph 10; (f) common rules for identifying capacity eligible to participate in the capacity mechanism as referred to in point (a) of paragraph 10. The proposal shall be subject to prior consultation and approval by ACER in accordance with Article 27. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 26paragraph 12 | The regulatory authorities concerned shall verify whether the capacities have been calculated in accordance with the methodology referred to in point (a) of paragraph 11.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 26paragraph 13 | Regulatory authorities shall ensure that cross-border participation in capacity mechanisms is organised in an effective and non-discriminatory manner. They shall in particular provide for adequate administrative arrangements for the enforcement of non-availability payments across borders.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 26paragraph 14 | The capacities allocated in accordance with paragraph 8 shall be transferable between eligible capacity providers. Eligible capacity providers shall notify the registry as referred to in point (a) of paragraph 10 of any such transfer.  | DEL | Article 25paragraph (6) | Based on the recommendation of the Regional Coordination Center, the electricity transmission system operator shall annually determine the maximum entry cross-border transmission capacity into the system of the Republic of North Macedonia and shall make it available in a transparent, non-discriminatory and market-based manner to each foreign capacity provider participating in the mechanism. Foreign capacity providers that have been allocated with the maximum entry cross-border transmission capacity may transfer the right to use the capacity to each other. The transmission system operator shall register each transfer of capacity in the register established by ENTSO-E for that purpose. | Not relevant for RNM |  |  |  |
| Article 26paragraph 15 | By 5 July 2021 the ENTSO for Electricity shall set up and operate the registry referred to in point (a) of paragraph 10. The registry shall be open to all eligible capacity providers, the systems implementing capacity mechanisms and their transmission system operators.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 27paragraph 1 | Where reference is made to this Article , the procedure set out in paragraphs 2, 3 and 4 shall apply to the approval of proposals submitted by the ENTSO for Electricity.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 27paragraph 2 | Before submitting a proposal, the ENTSO for Electricity shall carry out a consultation involving all relevant stakeholders, including regulatory authorities and other national authorities. It shall duly take the results of that consultation into consideration in its proposal.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 27paragraph 3 | Within three months of the date of receipt of the proposal referred to in paragraph 1, ACER shall either approve or amend it. In the latter case, ACER shall consult the ENTSO for Electricity before approving the amended proposal. ACER shall publish the approved proposal on its website within three months of the date of receipt of the proposed documents.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 27paragraph 4 | ACER may request changes to the approved proposal at any time. Within six months of the date of receipt of such a request, the ENTSO for Electricity shall submit a draft of the proposed changes to ACER. Within three months of the date of receipt of the draft, ACER shall amend or approve the changes and publish those changes on its website.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 28paragraph 1 | Transmission system operators shall cooperate at Union level through the ENTSO for Electricity, in order to promote the completion and functioning of the internal market for electricity and cross-zonal trade and to ensure the optimal management, coordinated operation and sound technical evolution of the European electricity transmission network. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 28paragraph 2 | In performing its functions under Union law, the ENTSO for Electricity shall act with a view to establishing a well-functioning and integrated internal market for electricity and shall contribute to the efficient and sustainable achievement of the objectives set out in the policy framework for climate and energy covering the period from 2020 to 2030, in particular by contributing to the efficient integration of electricity generated from renewable energy sources and to increases in energy efficiency while maintaining system security. The ENTSO for Electricity shall be equipped with adequate human and financial resources to carry out its duties.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 29paragraph 1 | The transmission system operators for electricity shall submit to the Commission and to ACER any draft amendments to the statutes, list of members or rules of procedure of the ENTSO for Electricity.  | DEL | Article 141 paragraph (1) | The electricity transmission system operator shall, on a contractual basis, cooperate with other electricity transmission system operators, members of ENTSO-E within the Energy Community in the activities for development and operation of the internal electricity market of the European Union and strengthening of inter-zonal trade, as well as in ensuring optimal management, coordinated operation and stable technical and technological development of the European electricity network. | Fully compliant |  |  |  |
| Article 29paragraph 2 | Within two months of receipt of the draft amendments to the statutes, list of members or rules of procedure, ACER, after consulting the organisations representing all stakeholders, in particular the system users, including customers, shall provide an opinion to the Commission on these draft amendments to the statutes, list of members or rules of procedure.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 29paragraph 3 | The Commission shall deliver an opinion on the draft amendments to the statutes, list of members or rules of procedures taking into account ACER's opinion as provided for in paragraph 2 and within three months of receipt of ACER's opinion.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 29paragraph 4 | Within three months of receipt of the Commission's favourable opinion, the transmission system operators shall adopt and publish the amended statutes or rules of procedure.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 29paragraph 5 | The documents referred to in paragraph 1 shall be submitted to the Commission and to ACER where there are changes thereto or upon the reasoned request of either of them. The Commission and ACER shall deliver an opinion in accordance with paragraphs 2, 3 and 4.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30 paragraph 1point (а) | The ENTSO for Electricity shall: (a) develop network codes in the areas set out in Article 59(1) and (2) with a view to achieving the objectives set out in Article 28; |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30 paragraph 1 point (b) | adopt and publish a non-binding Union-wide ten-year network development plan, (‘Union-wide network development plan’), biennially;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30 paragraph 1 point (c) | prepare and adopt proposals related to the European resource adequacy assessment pursuant to Article 23 and proposals for the technical specifications for cross-border participation in capacity mechanisms pursuant to Article 26(11); |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30 paragraph 1point (d) | adopt recommendations relating to the coordination of technical cooperation between Union and third-country transmission system operators;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30 paragraph 1 point (e) | adopt a framework for the cooperation and coordination between regional coordination centres;  |  |  |  | Not relevant for RNM |  |  | This provision applies to the Member States of the European Union. |
| Article 30 paragraph 1 point (f) | adopt a proposal defining the system operation region in accordance with Article 36;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30 paragraph 1 point (g) | cooperate with distribution system operators and the EU DSO entity;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30 paragraph 1 point (h) | promote the digitalisation of transmission networks including deployment of smart grids, efficient real time data acquisition and intelligent metering systems; |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30 paragraph 1 point (i) | adopt common network operation tools to ensure coordination of network operation in normal and emergency conditions, including a common incident classification scale, and research plans, including the deployment of those plans through an efficient research programme. Those tools shall specify inter alia:  |  |  |  | Not relevant for RNM |  |  | This provision applies to the Member States of the European Union. |
| Article 30 paragraph 1  point (i) (i) | the information, including appropriate day-ahead, intraday and real-time information, useful for improving operational coordination, as well as the optimal frequency for the collection and sharing of such information;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30 paragraph 1 point (i) (ii) | the technological platform for the exchange of information in real time and where appropriate, the technological platforms for the collection, processing and transmission of the other information referred to in point (i), as well as for the implementation of the procedures capable of increasing operational coordination between transmission system operators with a view to such coordination becoming Union-wide; |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30 paragraph 1 point (i) (iii) | how transmission system operators make available the operational information to other transmission system operators or any entity duly mandated to support them to achieve operational coordination, and to ACER; and |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30 paragraph 1 point (i) (iv) | that transmission system operators designate a contact point in charge of answering inquiries from other transmission system operators or from any entity duly mandated as referred to in point (iii), or from ACER concerning such information;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30 paragraph 1 point (j) | adopt an annual work programme; |  |  |  | Not relevant for RNM |  |  | This provision applies to the Member States of the European Union. |
| Article 30 paragraph 1 point (k) | contribute to the establishment of interoperability requirements and non-discriminatory and transparent procedures for accessing data as provided for in Article 24 of Directive (EU) 2019/944;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30 paragraph 1 point (l) | adopt an annual report; |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30 paragraph 1 point (m) | carry out and adopt seasonal adequacy assessments pursuant to Article 9(2) of Regulation (EU) 2019/941;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30 paragraph 1 point (n) | promote cyber security and data protection in cooperation with relevant authorities and regulated entities;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30 paragraph 1 point (o) | take into account the development of demand response in fulfilling its tasks. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30paragraph 2 | The ENTSO for Electricity shall report to ACER on shortcomings identified regarding the establishment and performance of regional coordination centres.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30paragraph 3 | The ENTSO for Electricity shall publish the minutes of its assembly meetings, board meetings and committee meetings and provide the public with regular information on its decision-making and activities.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30paragraph 4 | The annual work programme referred to in point (j) of paragraph 1 shall contain a list and description of the network codes to be prepared, a plan on coordination of operation of the network, and research and development activities, to be realised in that year, and an indicative calendar.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 30paragraph 5 | The ENTSO for Electricity shall provide ACER with the information that ACER requires to fulfil its tasks pursuant to Article 32(1). In order to enable the ENTSO for Electricity to meet that requirement, transmission system operators shall provide the ENTSO for Electricity with the requisite information.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 31 paragraph 1 | While preparing the proposals pursuant to the tasks referred to in Article 30(1), the ENTSO for Electricity shall conduct an extensive consultation process. The consultation process shall be structured in a way to enable the accommodation of stakeholder comments before the final adoption of the proposal and in an open and transparent manner, involving all relevant stakeholders, and, in particular, the organisations representing such stakeholders, in accordance with the rules of procedure referred to in Article 29. That consultation shall also involve regulatory authorities and other national authorities, supply and generation undertakings, system users including customers, distribution system operators, including relevant industry associations, technical bodies and stakeholder platforms. It shall aim at identifying the views and proposals of all relevant parties during the decision-making process. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 31paragraph 2 | All documents and minutes of meetings related to the consultations referred to in paragraph 1 shall be made public.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 31paragraph 3 | Before adopting the proposals referred to in Article 30(1) the ENTSO for Electricity shall indicate how the observations received during the consultation have been taken into consideration. It shall provide reasons where observations have not been taken into account.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 32paragraph 1 | ACER shall monitor the execution of the tasks of the ENTSO for Electricity referred to in Article 30(1), (2) and (3) and report its findings to the Commission. ACER shall monitor the implementation by the ENTSO for Electricity of network codes developed under Article 59. Where the ENTSO for Electricity has failed to implement such network codes, ACER shall request the ENTSO for Electricity to provide a duly reasoned explanation as to why it has failed to do so. ACER shall inform the Commission of that explanation and provide its opinion thereon. ACER shall monitor and analyse the implementation of the network codes and the guidelines adopted by the Commission as laid down in Article 58(1), and their effect on the harmonisation of applicable rules aimed at facilitating market integration as well as on non-discrimination, effective competition and the efficient functioning of the market, and report to the Commission. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 32paragraph 2 | The ENTSO for Electricity shall submit the draft Union-wide network development plan, the draft annual work programme, including the information regarding the consultation process, and the other documents referred to in Article 30(1) to ACER for its opinion. Where it considers that the draft annual work programme or the draft Union-wide network development plan submitted by the ENTSO for Electricity does not contribute to non-discrimination, effective competition, the efficient functioning of the market or a sufficient level of cross-border interconnection open to third-party access, ACER shall provide a duly reasoned opinion as well as recommendations to the ENTSO for Electricity and to the Commission within two months of the submission.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 33 | The costs related to the activities of the ENTSO for Electricity referred to in Article s 28 to 32 and 58 to 61 of this Regulation, and in Article 11 of Regulation (EU) No 347/2013 of the European Parliament and of the Council (22) shall be borne by the transmission system operators and shall be taken into account in the calculation of tariffs. Regulatory authorities shall approve those costs only if they are reasonable and appropriate. | DEL | Article 141paragraph (2) | The costs arising out of membership in ENTSO-E shall be borne by the electricity transmission system operator and shall be taken into account in the calculation of tariffs referred to in Article 61 paragraph (7) item 12 of this Law.  | Fully compliant |  |  |  |
| Article 34 paragraph 1 | Transmission system operators shall establish regional cooperation within the ENTSO for Electricity to contribute to the activities referred to in Article 30(1), (2) and (3). In particular, they shall publish a regional investment plan biennially, and may take investment decisions based on that regional investment plan. The ENTSO for Electricity shall promote cooperation between transmission system operators at regional level ensuring interoperability, communication and monitoring of regional performance in those areas which have not yet been harmonised at Union level. | DEL | Article 132point 3 | In accordance with the obligations established by this Law, the rules and regulations adopted on the basis of this Law, as well as the obligations undertaken with the ratified international treaties and the obligations arising out of the membership in ENTSO – E, the electricity transmission system operator in the Republic of North Macedonia shall in a fair, transparent and non-discriminatory manner and with economical, efficient and sustainable use of the electricity transmission network and interconnectors:3. Establish cooperation with the electricity transmission system operators within one or more geographical areas covered by the established system of regional cooperation structures, provide support in the operation and management of the Regional Coordination Center in whose operation it participates and implements the agreed measures and the guidelines and recommendations received from ACER or ENTSO-E. | Fully compliant |  |  |  |
| Article 34Paragraph 2 | Transmission system operators shall promote operational arrangements in order to ensure the optimum management of the network and shall promote the development of energy exchanges, the coordinated allocation of cross-border capacity through non-discriminatory market-based solutions, paying due attention to the specific merits of implicit auctions for short-term allocations, and the integration of balancing and reserve power mechanisms.  | DEL | Article 140paragraph (1)Points 4 and 5 | (1) The electricity transmission system operator shall be obliged to:4. to enter into contracts with the operators of the neighbouring electricity transmission systems to which it is connected in order to ensure reliable, safe and high-quality electricity transmission and data exchange for the purpose of optimal management of the electricity transmission network and use of interconnection facilities;5. to accept and ensure cross-zonal flows of electricity through the electricity transmission network of the Republic of North Macedonia within the available transmission capacity; | Fully compliant |  |  |  |
| Article 34paragraph 3 | For the purposes of achieving the goals set in paragraphs 1 and 2, the geographical area covered by each regional cooperation structure may be established by the Commission, taking into account existing regional cooperation structures. Each Member State may promote cooperation in more than one geographical area. The Commission is empowered to adopt delegated acts in accordance with Article 68, supplementing this Regulation, establishing the geographical area covered by each regional cooperation structure. For that purpose, the Commission shall consult the regulatory authorities, ACER and the ENTSO for Electricity. The delegated acts referred to in this paragraph shall be without prejudice to Article 36. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 35paragraph 1 | By 5 July 2020, all transmission system operators of a system operation region shall submit a proposal for the establishment of regional coordination centres to the regulatory authorities concerned in accordance with the criteria set out in this Chapter. The regulatory authorities of the system operation region shall review and approve the proposal. The proposal shall at least include the following elements: (a) the Member State of the prospective seat of the regional coordination centres and the participating transmission system operators; (b) the organisational, financial and operational arrangements necessary to ensure the efficient, secure and reliable operation of the interconnected transmission system; (c) an implementation plan for the entry into operation of the regional coordination centres; (d) the statutes and rules of procedure of the regional coordination centres; (e) a description of cooperative processes in accordance with Article 38; (f) a description of the arrangements concerning the liability of the regional coordination centres in accordance with Article 47; (g) where two regional coordination centres are maintained on a rotational basis in accordance with Article 36(2), a description of the arrangements to provide clear responsibilities to those regional coordination centres and procedures on the execution of their tasks. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 35paragraph 2 | Following approval by regulatory authorities of the proposal in paragraph 1, the regional coordination centres shall replace the regional security coordinators established pursuant to the system operation guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009 and shall enter into operation by 1 July 2022.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 35paragraph 3 | Regional coordination centres shall have a legal form referred to in Annex II to Directive (EU) 2017/1132 of the European Parliament and of the Council (23).  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 35paragraph 4 | In performing their tasks under Union law, regional coordination centres shall act independently of individual national interests and independently of the interests of transmission system operators.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 35paragraph 5 | Regional coordination centres shall complement the role of transmission system operators by performing the tasks of regional relevance assigned to them in accordance with Article 37. Transmission system operators shall be responsible for managing electricity flows and ensuring a secure, reliable and efficient electricity system in accordance with point (d) of Article 40(1) of Directive (EU) 2019/944.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 36paragraph 1 | By 5 January 2020 the ENTSO for Electricity shall submit to ACER a proposal specifying which transmission system operators, bidding zones, bidding zone borders, capacity calculation regions and outage coordination regions are covered by each of the system operation regions. The proposal shall take into account the grid topology, including the degree of interconnection and of interdependency of the electricity system in terms of flows and the size of the region which shall cover at least one capacity calculation region. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 36paragraph 2 | The transmission system operators of a system operation region shall participate in the regional coordination centre established in that region. In exceptional circumstances, where the control area of a transmission system operator is part of various synchronous areas, the transmission system operator may participate in two regional coordination centres. For the bidding zone borders adjacent to system operation regions, the proposal in paragraph 1 shall specify how the coordination between regional coordination centres for those borders is to take place. For the Continental Europe synchronous area, where the activities of two regional coordination centres may overlap in a system operation region, the transmission system operators of that system operation region shall decide to either designate a single regional coordination centre in that region or that the two regional coordination centres carry out some or all of the tasks of regional relevance in the entire system operation region on a rotational basis while other tasks are carried out by a single designated regional coordination centre.  | DEL | Article 161paragraph (2) | The electricity transmission system operator shall participate in the Regional Coordination Centre established in the region to which the electricity transmission system operator belongs. | Partially compliant | Full compliance will be achieved by adopting another legal act in the field of energy. | Within nine months from the date of entry into force of this law |  |
| Article 36paragraph 3 | Within three months of receipt of the proposal in paragraph 1, ACER shall either approve the proposal defining the system operation regions or propose amendments. In the latter case, ACER shall consult the ENTSO for Electricity before adopting the amendments. The adopted proposal shall be published on ACER's website.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 36paragraph 4 | The relevant transmission system operators may submit a proposal to ACER for the amendment of system operation regions defined pursuant to paragraph 1. The process set out in paragraph 3 shall apply.  | DEL | Article 152paragraph (5)point 2 | (5) If the report referred to in paragraph (3) or in the review referred to in paragraph (4) of this Article or in the report of one or more electricity transmission system operators on their control areas approved by one or more competent regulatory bodies indicates structural congestion in the electricity transmission system of the Republic of North Macedonia, the Energy Regulatory Commission, in cooperation with the electricity transmission system operator and the affected users of the electricity transmission network shall:2. make a proposal for changing the configuration, upon a proposal from the electricity transmission system operator for reassessment and changing the configuration of the bidding zone and after consultation with the competent regulatory bodies and the electricity system operators from the region of coordinated capacity calculation. | Fully compliant |  |  |  |
| Article 37paragraph 1 | Each regional coordination centre shall carry out at least all the following tasks of regional relevance in the entire system operation region where it is established:(a) carrying out the coordinated capacity calculation in accordance with the methodologies developed pursuant to the capacity allocation and congestion management guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009; (b) carrying out the coordinated security analysis in accordance with the methodologies developed pursuant to the system operation guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009; (c) creating common grid models in accordance with the methodologies and procedures developed pursuant to the system operation guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009; (d) supporting the consistency assessment of transmission system operators' defence plans and restoration plans in accordance with the procedure set out in the emergency and restoration network code adopted on the basis of Article 6(11) of Regulation (EC) No 714/2009; (e) carrying out regional week ahead to at least day-ahead system adequacy forecasts and preparation of risk reducing actions in accordance with the methodology set out in Article 8 of Regulation (EU) 2019/941 and the procedures set out in the system operation guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009; (f) carrying out regional outage planning coordination in accordance with the procedures and methodologies set out in the system operation guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009; (g) training and certification of staff working for regional coordination centres; (h) supporting the coordination and optimisation of regional restoration as requested by transmission system operators; i)carrying out post-operation and post-disturbances analysis and reporting; (j) regional sizing of reserve capacity; (k) facilitating the regional procurement of balancing capacity; (l) supporting transmission system operators, at their request, in the optimisation of inter-transmission system operators settlements; (m) carrying out tasks related to the identification of regional electricity crisis scenarios if and to the extent they are delegated to the regional coordination centres pursuant to Article 6(1) of Regulation (EU) 2019/941; (n) carrying out tasks related to the seasonal adequacy assessments if and to the extent that they are delegated to the regional coordination centres pursuant to Article 9(2) of Regulation (EU) 2019/941; (o) calculating the value for the maximum entry capacity available for the participation of foreign capacity in capacity mechanisms for the purposes of issuing a recommendation pursuant to Article 26(7); (p) carrying out tasks related to supporting transmission system operators in the identification of needs for new transmission capacity, for upgrade of existing transmission capacity or their alternatives, to be submitted to the regional groups established pursuant to Regulation (EU) No 347/2013 and included in the ten-year network development plan referred to in Article 51 of Directive (EU) 2019/944. The tasks referred to in the first subparagraph are set out in more detail in Annex I. | DEL | Article 161paragraph (3) | Within the cooperation referred to in paragraph (1) of this Article , the electricity transmission system operator shall delegate to the Regional Coordination Centre activities of regional importance in the coordinated system management region or on the borders of the bidding zone, and in particular:1. coordinated calculation of cross-zonal transmission capacities allocated in the day-ahead timeframe and in the intraday timeframe;2. coordinated security analysis;3. creation of a common grid model;4. support for assessing the compliance of the transmission system functions’ protection plan and the restoration plan;5. preparation of regional forecasts for short-term resource adequacy, in particular forecasts between week-ahead and day-ahead;6. performance of tasks related to seasonal adequacy assessments to the extent assigned in coordination with other operators in the region;7. coordination of regional outage scheduling in accordance with harmonized rules and procedures;8. training and certification of employees in regional coordination centers;9. support for coordination and optimization of system functions restoration, upon request of two or more operators in the region;10. preparation of analyses and reports based on the results of outage monitoring;11. determination of the amount of reserve capacity in the region;12. promotion of regional exchange and procurement of balancing energy;13. support for optimization in calculations and settlements between two or more electricity transmission system operators in the region, upon their request;14. tasks related to identification of regional crisis scenarios in the electricity sector;15. tasks in preparation of regional risk reduction measures;16. calculation of the maximum input capacity from foreign sources in the capacity mechanisms intended for issuing recommendations, and17. performance of tasks related to the support in identifying the needs for new transmission capacity, for updating the existing transmission capacity or for other alternatives. | Fully compliant |  |  |  |
| Article 37paragraph 2 | On the basis of a proposal by the Commission or a Member State, the Committee established by Article 68 of Directive (EU) 2019/944 shall issue an opinion on the assignment of new advisory tasks to regional coordination centres. Where that Committee issues a favourable opinion on the assignment of new advisory tasks, the regional coordination centres shall carry out those tasks on the basis of a proposal developed by the ENTSO for Electricity and approved by ACER in accordance with the procedure set out in Article 27.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 37paragraph 3 | Transmission system operators shall provide their regional coordination centres with the information necessary to carry out its tasks.  | DEL | Article 161paragraph (4) | The electricity transmission system operator shall provide the Regional Coordination Centre with all information necessary for the performance of its tasks and shall receive from the Regional Coordination Centre all information and recommendations necessary for the performance of coordinated activities in the region. | Fully compliant |  |  |  |
| Article 37paragraph 4 | Regional coordination centres shall provide transmission system operators of the system operation region with all information necessary to implement the coordinated actions and recommendations issued by regional coordination centres.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 37paragraph 5 | For the tasks set out in this Article and not already covered by the relevant network codes or guidelines, the ENTSO for Electricity shall develop a proposal in accordance with the procedure set out in Article 27. Regional coordination centres shall carry out those tasks on the basis of the proposal following its approval by ACER.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 38 | The day-to-day coordination within and between regional coordination centres shall be managed through cooperative processes among the transmission system operators of the region, including arrangements for coordination between regional coordination centres where relevant. The cooperative process shall be based on: (a) working arrangements to address planning and operational aspects relevant to the tasks referred to in Article 37; (b) a procedure for sharing analysis and consulting on regional coordination centres' proposals with the transmission system operators in the system operation region and relevant stakeholders and with other regional coordination centres, in an efficient and inclusive manner, in the exercise of the operational duties and tasks, in accordance with Article 40; (c) a procedure for the adoption of coordinated actions and recommendations in accordance with Article 42. |  |  |  | Not relevant for RNM |  |  | This article applies to the Member States of the European Union. |
| Article 39paragraph 1 | Regional coordination centres shall develop working arrangements that are efficient, inclusive, transparent and facilitate consensus, in order to address planning and operational aspects related to the tasks to be carried out, taking into account, in particular, the specificities and requirements of those tasks as specified in Annex I. Regional coordination centres shall also develop a process for the revision of those working arrangements.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 39paragraph 2 | Regional coordination centres shall ensure that the working arrangements referred to in paragraph 1 contain rules for the notification of parties concerned.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 40paragraph 1 | Regional coordination centres shall develop a procedure to organise, in the exercise of their daily operational duties and tasks, the appropriate and regular consultation of transmission system operators in the system operation region, other regional coordination centres and of relevant stakeholders. In order to ensure that regulatory issues can be addressed, regulatory authorities shall be involved when required.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 40paragraph 2 | Regional coordination centres shall consult the Member States in the system operation region and, where there is a regional forum, their regional forums on matters of political relevance excluding the day-to-day activities of regional coordination centres and the implementation of their tasks. Regional coordination centres shall take due account of the recommendations of the Member States and where applicable, of their regional forums.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 41paragraph 1 | Regional coordination centres shall develop a process for stakeholder involvement and shall organise regular meetings with stakeholders to discuss matters relating to the efficient, secure and reliable operation of the interconnected system and to identify shortcomings and propose improvements.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 41paragraph 2 | The ENTSO for Electricity and regional coordination centres shall operate in full transparency towards stakeholders and the general public. They shall publish all relevant documentation on their respective websites.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 42paragraph 1 | The transmission system operators in a system operation region shall develop a procedure for the adoption and revision of coordinated actions and recommendations issued by regional coordination centres in accordance with the criteria set out in paragraphs 2, 3, and 4.  | DEL | Article 161paragraph (5) | The electricity transmission system operator shall cooperate with other operators in the region for coordinated system management in accordance with the procedures and recommendations for adoption or revision of coordinated management measures determined by the Regional Coordination Centre. | Fully compliant |  |  |  |
| Article 42paragraph 2 | Regional coordination centres shall issue coordinated actions to the transmission system operators in respect of the tasks referred to in points (a) and (b) of Article 37(1). Transmission system operators shall implement the coordinated actions except where the implementation of the coordinated actions would result in a violation of the operational security limits defined by each transmission system operator in accordance with the system operation guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009. Where a transmission system operator decides not to implement a coordinated action for the reasons set out in this paragraph, it shall transparently report the detailed reasons to the regional coordination centre and the transmission system operators of the system operation region without undue delay. In such cases, the regional coordination centre shall assess the impact of that decision on the other transmission system operators of the system operation region and may propose a different set of coordinated actions subject to the procedure set out in paragraph 1.  | DEL | Article 161Paragraphs (7) and (8) | (7) A review of coordinated actions or recommendations shall be initiated at the request of one or more electricity transmission system operators in the system operation region. After reviewing the coordinated action or recommendation, the Regional Coordination Centre shall confirm or amend the measure.(8) A request for taking a coordinated action from the activities referred to in paragraph (3) of this Article may be submitted to the Regional Coordination Centre by one or more Member States of the European Union or Contracting Parties to the Energy Community from the common system operation region. | Fully compliant |  |  |  |
| Article 42paragraph 3 | Regional coordination centres shall issue recommendations to the transmission system operators in relation to the tasks listed in points (c) to (p) of Article 37(1) or assigned in accordance with Article 37(2). Where a transmission system operator decides to deviate from a recommendation as referred to in paragraph 1, it shall submit a justification for its decision to regional coordination centres and to the other transmission system operators of the system operation region without undue delay.  | DEL | Article 161paragraph (6) | If the electricity transmission system operator assesses that the application of the Regional Coordination Centre’s measures relating to coordinated capacity calculation and coordinated security analysis would cause a disruption of the electricity transmission system’s operational security, it may decide not to apply those measures and shall be obliged to notify the Regional Coordination Centre and the electricity transmission system operators in the system operation region and to provide an explanation for the decision. | Fully compliant |  |  |  |
| Article 42paragraph 4 | The review of coordinated actions or a recommendation shall be triggered at the request of one or more of the transmission system operators of the system operation region. Following the review of the coordinated action or recommendation, regional coordination centres shall confirm or modify the measure.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 42paragraph 5 | Where a coordinated action is subject to review in accordance with paragraph 4 of this Article , the request for review shall not suspend the coordinated action except where the implementation of the coordinated action would result in a violation of the operational security limits defined by each individual transmission system operator in accordance with the system operation guideline adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 42paragraph 6 | Upon the proposal of a Member State or the Commission and following consultation with the Committee established by Article 68 of Directive (EU) 2019/944, the Member States in a system operation region may jointly decide to grant the competence to issue coordinated actions to their regional coordination centre for one or more of the tasks provided for in points (c) to (p) of Article 37(1) of this Regulation.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 43paragraph 1 | In order to adopt measures related to their governance and to monitor their performance, the regional coordination centres shall establish a management board. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 43paragraph 2 | The management board shall be composed of members representing all the transmission system operators that participate in the relevant regional coordination centre.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 43paragraph 3 | The management board shall be responsible for: (a) drafting and endorsing the statutes and rules of procedure of regional coordination centres; (b) deciding upon and implementing the organisational structure; (c) preparing and endorsing the annual budget; (d) developing and endorsing the cooperative processes in accordance with Article 38.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 43paragraph 4 | The competences of the management board shall exclude those that are related to the day-to-day activities of regional coordination centres and the performance of its tasks.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 44paragraph 1 | The transmission system operators of a system operation region shall establish the organisational structure of regional coordination centres that supports the safety of their tasks. Their organisational structure shall specify: (a) the powers, duties and responsibilities of the personnel; (b) the relationship and reporting lines between different parts and processes of the organisation. | DEL | Article 161paragraph (1) | The electricity transmission system operator shall cooperate with the Regional Coordination Centre of the coordinated system management region to which its control area belongs in accordance with the act regulating the establishment of the Regional Coordination Centre and, if necessary, for individual issues, with the regional coordination centres of other regions for which it has entered into bilateral contracts. | Fully compliant |  |  |  |
| Article 44paragraph 2 | Regional coordination centres may establish regional desks to address sub-regional specificities or establish back-up regional coordination centres for the efficient and reliable exercise of their tasks where proven to be strictly necessary. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 45 | Regional coordination centres shall be equipped with all human, technical, physical and financial resources necessary for fulfilling their obligations under this Regulation and carrying out their tasks independently and impartially.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 46paragraph 1 | 1.Regional coordination centres shall establish a process for the continuous monitoring of at least: (a) their operational performance; (b)the coordinated actions and recommendations issued, the extent to which the coordinated actions and recommendations have been implemented by the transmission system operators and the outcome achieved; (c) the effectiveness and efficiency of each of the tasks for which they are responsible and, where applicable, the rotation of those tasks.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 46paragraph 2 | Regional coordination centres shall account for their costs in a transparent manner and report them to ACER and to the regulatory authorities in the system operation region.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 46paragraph 3 | Regional coordination centres shall submit an annual report on the outcome of the monitoring provided for in paragraph 1 and information on their performance to the ENTSO for Electricity, ACER, the regulatory authorities in the system operation region and the Electricity Coordination Group.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 46paragraph 4 | Regional coordination centres shall report any shortcomings that they identify in the monitoring process under paragraph 1 to the ENTSO for Electricity, the regulatory authorities in the system operation region, ACER and the other competent authorities of Member States responsible for the prevention and management of crisis situations. On the basis of that report, the relevant regulatory authorities of the system operation region may propose measures to address the shortcomings to the regional coordination centres.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 46paragraph 5 | Without prejudice to the need to protect security and the confidentiality of commercially sensitive information, regional coordination centres shall make public the reports referred to in paragraphs 3 and 4.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 47 | In proposals for the establishment of regional coordination centres in accordance with Article 35, the transmission system operators in the system operation region shall include the necessary steps to cover liability related to the execution of regional coordination centres' tasks. The method employed to provide the cover shall take into account the legal status of regional coordination centres and the level of commercial insurance cover available. |  |  |  | Not relevant for RNM |  |  | This article applies to the Member States of the European Union. |
| Article 48paragraph 1 | The Union-wide network development plan referred to under point (b) of Article 30(1) shall include the modelling of the integrated network, scenario development and an assessment of the resilience of the system. The Union-wide network development plan shall, in particular: (a) build on national investment plans, taking into account regional investment plans as referred to in Article 34(1) of this Regulation, and, if appropriate, Union aspects of network planning as set out in Regulation (EU) No 347/2013; it shall be subject to a cost-benefit analysis using the methodology established as set out in Article 11 of that Regulation;regarding cross-border interconnections, also build on the reasonable needs of different system users and integrate long-term commitments from investors referred to in Article s 44 and 51 of Directive (EU) 2019/944; and (c) identify investment gaps, in particular with respect to cross-border capacities. In regard to point (c) of the first subparagraph, a review of barriers to the increase of cross-border capacity of the network arising from different approval procedures or practices may be annexed to the Union–wide network development plan. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 48paragraph 2 | ACER shall provide an opinion on the national ten-year network development plans to assess their consistency with the Union–wide network development plan. If ACER identifies inconsistencies between a national ten-year network development plan and the Union–wide network development plan, it shall recommend amending the national ten-year network development plan or the Union–wide network development plan as appropriate. If such a national ten-year network development plan is developed in accordance with Article 51 of Directive (EU) 2019/944, ACER shall recommend that the regulatory authority amend the national ten-year network development plan in accordance with Article 51(7) of that Directive and inform the Commission thereof.  | DEL | Article 150paragraph (5) | (5) After submitting the harmonized plan referred to in paragraph (4) of this Article , the Energy Regulatory Commission shall, within 30 days:1. verify whether the plan takes into account the requirements referred to in paragraph (2) of this Article and whether the plan is harmonized with the ten-year development plan of ENTSO-E and may consult with ACER for that purpose, and after the verification and consultations, it may request the electricity transmission system operator to supplement or adjust the plan, and2. conduct public consultations with existing electricity transmission system users, including the electricity distribution system operators, as well as potential users who need to explain their requests for connection, and shall submit the results of the consultations, together with the conclusion on the necessary investments, to the electricity transmission system operator and publish them on its website. | Fully compliant |  |  |  |
| Article 49paragraph 1 | Transmission system operators shall receive compensation for costs incurred as a result of hosting cross-border flows of electricity on their networks.  | DEL | Article 159paragraph (1)point 1 | The electricity transmission system operator shall apply the mechanism for mutual compensation of costs incurred in maintaining cross-border electricity flows through the transmission network, whereby:1. it shall collect fee for the costs of maintaining cross-border electricity flows through the transmission system of the Republic of North Macedonia from the electricity transmission system operators from which the flows originated and from the electricity transmission system operators where the flows ended, | Fully compliant |  |  |  |
| Article 49paragraph 2 | The compensation referred to in paragraph 1 shall be paid by the operators of national transmission systems from which cross-border flows originate and the systems where those flows end.  | DEL | Article 159paragraph (1) point 2 | (1) The electricity transmission system operator shall apply the mechanism for mutual compensation of costs incurred in maintaining cross-border electricity flows through the transmission network, whereby:2. it shall pay fee to the electricity transmission system operators for the costs of maintaining cross-border electricity flows that originated or ended in the electricity transmission system of the Republic of North Macedonia. | Fully compliant |  |  |  |
| Article 49paragraph (3) | Compensation payments shall be made on a regular basis with regard to a given period in the past. Ex-post adjustments of compensation paid shall be made where necessary, to reflect costs actually incurred. The first period for which compensation payments are to be made shall be determined in the guidelines referred to in Article 61. | DEL | Article 159paragraph (3) | The electricity transmission system operator shall regularly pay and collect the costs referred to in paragraph (1) of this Article , at specified intervals in relation to a specified period elapsed, and may, if necessary, make additional adjustments to the fee paid to the actual costs incurred. | Fully compliant |  |  |  |
| Article 49paragraph (4) | The Commission shall adopt delegated acts in accordance with Article 68, supplementing this Regulation, establishing the amounts of compensation payments payable.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 49paragraph 5 | The magnitude of cross-border flows hosted and the magnitude of cross-border flows designated as originating or ending in national transmission systems shall be determined on the basis of the physical flows of electricity actually measured during a given period.  | DEL | Article 159paragraph (2) | The amount of cross-border flows that are taken over or handed over to the electricity transmission system operators in accordance with paragraph (1) of this Article shall be determined on the basis of physical flows of electricity measured at the borders with neighbouring electricity transmission systems in the specified period. | Fully compliant  |  |  |  |
| Article 49paragraph 6 | The costs incurred as a result of hosting cross-border flows shall be established on the basis of the forward- looking long-run average incremental costs, taking into account losses, investment in new infrastructure, and an appropriate proportion of the cost of existing infrastructure, in so far as such infrastructure is used for the transmission of cross-border flows, in particular taking into account the need to guarantee security of supply. When establishing the costs incurred, recognised standard-costing methodologies shall be used. Benefits that a network incurs as a result of hosting cross-border flows shall be taken into account to reduce the compensation received.  | DEL | Article 158paragraph (8) point 4 | 4. the compliance of the use of congestion revenue determined according to the methodology referred to in paragraph (1) of this Article with the methodology for calculating the electricity transmission tariff. | Partially compliant | Full compliance will be achieved by adopting another legal act in the field of energy. | Within nine months from the date of entry into force of this law |  |
| Article 49paragraph 7 | For the purpose of the inter-transmission system operator compensation mechanism only, where transmission networks of two or more Member States form part, in whole or in part, of a single control block, the control block as a whole shall be considered as forming part of the transmission network of one of the Member States concerned, in order to avoid flows within control blocks being considered as cross-border flows under point (b) of Article 2(2) and giving rise to compensation payments under paragraph 1 of this Article . The regulatory authorities of the Member States concerned may decide which of the Member States concerned shall be that of which the control block as a whole is to be considered to form part.  | DEL | Article 159paragraph (4) | The elapsed transmission system operator may, with one or more elapsed transmission system operators from the common control block, agree on joint representation within the entire control block in the application of the cost compensation mechanism, without the flows within the control block being considered cross-border flows in order to avoid the need for compensation between those operators. | Fully compliant |  |  |  |
| Article 50 paragraph 1 | Transmission system operators shall put in place coordination and information exchange mechanisms to ensure the security of the networks in the context of congestion management. | DEL | Article 160 paragraph (1) | The electricity transmission system operator shall establish in the electricity transmission network rules mechanisms for coordination and exchange of information with the system users and with the electricity transmission system operators in the region for coordinated system management in order to ensure network security in managing congestion. | Fully compliant |  |  |  |
| Article 50 paragraph 2 | The safety, operational and planning standards used by transmission system operators shall be made public. The information published shall include a general scheme for the calculation of the total transfer capacity and the transmission reliability margin based upon the electrical and physical features of the network. Such schemes shall be subject to approval by the regulatory authorities.  | DEL | Article 160 paragraph (2)point 1 | (2) The electricity transmission system operator shall publish on its website:1. the standards for operation, safety and scheduling of the transmission system applied, including the general methodology for calculating the total transmission capacity of the transmission network and for calculating the reliability margin for transmission of electricity based on the network’s electrical and physical characteristics, which has been approved by the Energy Regulatory Commission; | Fully compliant |  |  |  |
| Article 50 paragraph 3 | Transmission system operators shall publish estimates of available transfer capacity for each day, indicating any available transfer capacity already reserved. Those publications shall be made at specified intervals before the day of transport and shall include, in any event, week-ahead and month-ahead estimates, as well as a quantitative indication of the expected reliability of the available capacity.  | DEL | Article 160 paragraph (2)  point 2 | (2) The electricity transmission system operator shall publish on its website:2. the assessment of the available and reserved annual, monthly and daily transmission capacity published at certain intervals before the day of physical use of the transmission capacity and include a week-ahead and month-ahead assessment, as well as a quantitative indication of the reliability of the assessment of capacity availability, | Fully compliant |  |  |  |
| Article 50 paragraph 4 | Transmission system operators shall publish relevant data on aggregated forecast and actual demand, on availability and actual use of generation and load assets, on availability and use of the networks and interconnections, on balancing power and reserve capacity and on the availability of flexibility. For the availability and actual use of small generation and load assets, aggregated estimate data may be used.  | DEL | Article 160 paragraph (2)point 3 | (2) The electricity transmission system operator shall publish on its website:3. aggregate data and forecasts for the electricity system in order to ensure conditions for transparency in the electricity market, which in particular shall include data on:3.1. forecasted and realized demand, availability and realized utilization of electricity generation facilities, as well as on the availability and realized utilization of electricity networks and interconnections;3.2. needs and availability of balancing and reserve capacity services, as well as data with an assessment of the availability of system adaptability mechanisms, including energy storage and demand-side management, and3.3. availability and realized utilization of small generation plants, especially generation plants using renewable energy sources grouped by technology. | Fully compliant |  |  |  |
| Article 50 paragraph 5 | The market participants concerned shall provide the transmission system operators with the relevant data.  | DEL | Article 160paragraph (3) | The electricity transmission system users and the electricity market participants shall, upon request by the electricity transmission system operator, be obliged to submit all data necessary for fulfilment of the obligation referred to in paragraph (2) of this Article . The electricity transmission system operator shall be obliged to ensure protection of the submitted business-sensitive data. | Fully compliant |  |  |  |
| Article 50 paragraph 6 | Generation undertakings which own or operate generation assets, where at least one generation asset has an installed capacity of at least 250 MW, or which have a portfolio comprising at least 400 MW of generation assets, shall keep at the disposal of the regulatory authority, the national competition authority and the Commission, for five years all hourly data per plant that is necessary to verify all operational dispatching decisions and the bidding behaviour at power exchanges, interconnection auctions, reserve markets and over-the-counter-markets. The per-plant and per hour information to be stored shall include, but shall not be limited to, data on available generation capacity and committed reserves, including allocation of those committed reserves on a per-plant level, at the times the bidding is carried out and when production takes place.  | DEL | Article 129 paragraph (3) | An electricity producer that owns and/or operates a power plant with an installed capacity equal to or greater than 200 MW or more power plants with a total installed capacity equal to or greater than 400 MW, shall be obliged to keep for at least five years all data relating to the operation of the power plants, from which all its operational decisions related to dispatching and its participation in the electricity markets can be determined and verified for each individual hour, which shall also include data on the generation capacities available and the system services offered and activated at the power plant level during the periods when trading and generation take place, as well as on participation in the auctions for interconnection capacities. | Fully compliant |  |  |  |
| Article 50 paragraph 7 | Transmission system operators shall exchange regularly a set of sufficiently accurate network and load flow data in order to enable load flow calculations for each transmission system operator in its relevant area. The same set of data shall be made available to the regulatory authorities, and to the Commission and Member States upon request. The regulatory authorities, Member States and the Commission shall treat that set of data confidentially, and shall ensure that confidential treatment is also given by any consultant carrying out analytical work on their request, on the basis of those data.  | DEL | Article 140paragraph (1)point 17 | (1) The electricity transmission system operator shall be obliged to:17. to ensure exchange of data with operators of other electricity systems necessary for the fulfilment of the obligations of membership in ENTSO-E and for safe and efficient management of the electricity system of the Republic of North Macedonia; | Fully compliant |  |  |  |
| Article 51paragraph 1 | The Commission shall examine any notification of a decision on the certification of a transmission system operator as laid down in Article 52(6) of Directive (EU) 2019/944 as soon as it is received. Within two months of receipt of such notification, the Commission shall deliver its opinion to the relevant regulatory authority as to its compatibility with Article 43 and either Article 52(2) or Article 53 of Directive (EU) 2019/944.When preparing the opinion referred to in the first subparagraph, the Commission may request ACER to provide its opinion on the regulatory authority's decision. In such a case, the two-month period referred to in the first subparagraph shall be extended by two further months. In the absence of an opinion by the Commission within the periods referred to in the first and second subparagraphs, the Commission shall be considered not to raise objections to the regulatory authority's decision. | DEL | Article 137Paragraphs (2) and (3) | (2) The procedure for certification of the electricity transmission system operator shall be carried out:1. at the request of the electricity transmission system operator who has been issued a license to carry out the electricity transmission activity in accordance with paragraph (4) of this Article , or2. ex officio by the Energy Regulatory Commission in the case:2.1. when the electricity transmission system operator fails to submit a certification application;2.2. when a violation of the ownership unbundling obligations set out in Article 133 of this Law has occurred or may occur, or2.3. upon a submitted reasoned request from the Energy Community Secretariat. (3) If the electricity transmission system operator is not certified, it shall be obliged to submit a request for certification accompanied by documents prescribed by the certification rules adopted by the Energy Regulatory Commission. | Fully compliant |  |  |  |
| Article 51paragraph 2 | Within two months of receipt of an opinion of the Commission, the regulatory authority shall adopt its final decision regarding the certification of the transmission system operator, taking the utmost account of that opinion. The regulatory authority's decision and the Commission's opinion shall be published together.  | DEL | Article 137paragraph (5) | Within 60 days after receiving the opinion of the Energy Community Secretariat, the Energy Regulatory Commission shall adopt a decision on the request for certification. The Energy Regulatory Commission shall take into account the opinion of the Energy Community Secretariat, and shall publish the reasons for any possible deviation from the opinion. | Fully compliant |  |  |  |
| Article 51paragraph 3 | At any time during the procedure, regulatory authorities or the Commission may request from a transmission system operator or an undertaking performing any of the functions of generation or supply any information relevant to the fulfilment of their tasks under this Article .  | DEL | Article 66paragraph (1) | At the request of the Energy Regulatory Commission, state bodies, local self-government units, as well as licensees carrying out energy activities shall be obliged to submit the necessary documents, data and information, within a deadline set by the Energy Regulatory Commission. | Fully compliant |  |  |  |
| Article 51paragraph 4 | Regulatory authorities and the Commission shall protect the confidentiality of commercially sensitive information.  | DEL | Article 66paragraph (2) | The Energy Regulatory Commission shall use and store confidential documents, data and information in a manner determined by law or other regulation. | Fully compliant |  |  |  |
| Article 51paragraph 5 | Where the Commission has received notification of the certification of a transmission system operator under Article 43(9) of Directive (EU) 2019/944, the Commission shall take a decision relating to certification. The regulatory authority shall comply with the Commission decision.  | DEL | Article 138paragraph (9) | When adopting the decision referred to in paragraph (8) of this Article , the Energy Regulatory Commission shall take into account the opinion of the Ministry and the opinion of the Energy Community Secretariat. | Fully compliant |  |  |  |
| Article 52paragraph 1 | Distribution system operators shall cooperate at Union level through the EU DSO entity, in order to promote the completion and functioning of the internal market for electricity, and to promote optimal management and a coordinated operation of distribution and transmission systems. Distribution system operators who wish to participate in the EU DSO entity shall have the right to become registered members of the entity. Registered members may participate in the EU DSO entity directly or be represented by a national association designated by the Member State or by a Union-level association. | DEL | Article 170paragraph (2) | The electricity distribution system operator shall cooperate with the electricity distribution system operators of the other Contracting Parties to the Energy Community through the Coordination Group of Energy Community Distribution System Operators in Electricity, for the purpose of:1. promoting and supporting the completion and operation of the common electricity market;2. promoting optimal management and coordinated operation of the distribution and transmission systems; and3. representation and cooperation within the Association of European Distribution System Operators. | Fully compliant |  |  |  |
| Article 52paragraph 2 | Distribution system operators are entitled to associate themselves through the establishment of the EU DSO entity. The EU DSO entity shall carry out its tasks and procedures in accordance with Article 55. As an expert entity working for the common Union interest, the EU DSO entity shall neither represent particular interests nor seek to influence the decision-making process to promote specific interests. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 52paragraph 3 | Members of the EU DSO entity shall be subject to registration and to the payment of a fair and proportionate membership fee that reflects the number of customers connected to the distribution system operator concerned.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 53paragraph 1 | The EU DSO entity shall consist of, at least, a general assembly, a board of directors, a strategic advisor group, expert groups and a secretary-general. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 53paragraph 2 | By 5 July 2020, the distribution system operators shall submit to the Commission and to ACER, the draft statutes, in accordance with Article 54, including a code of conduct, a list of registered members, the draft rules of procedure, including the rules of procedures on the consultation with the ENTSO for Electricity and other stakeholders and the financing rules, of the EU DSO entity to be established. The draft rules of procedure of the EU DSO entity shall ensure balanced representation of all participating distribution system operators. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 53paragraph 3 | Within two months of receipt of the draft statutes, the list of members and the draft rules of procedure, ACER shall provide the Commission with its opinion, after consulting the organisations representing all stakeholders, in particular distribution system users.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 53paragraph 4 | Within three months of receipt of ACER's opinion, the Commission shall deliver an opinion on the draft statutes, the list of members and the draft rules of procedure, taking into account ACER's opinion as provided for in paragraph 3.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 53paragraph 5 | Within three months of receipt of the Commission's positive opinion, the distribution system operators shall establish the EU DSO entity and shall adopt and publish its statutes and rules of procedure.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 53paragraph 6 | The documents referred to in paragraph 2 shall be submitted to the Commission and to ACER where there are changes thereto or upon the reasoned request of either of them. The Commission and ACER shall deliver an opinion in line with the process set out in paragraphs 2, 3 and 4.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 53paragraph 7 | The costs related to the activities of the EU DSO entity shall be borne by the distribution system operators that are registered members and shall be taken into account in the calculation of tariffs. Regulatory authorities shall only approve costs that are reasonable and proportionate.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 54paragraph 1 | 1.The statutes of the EU DSO entity adopted in accordance with Article 53 shall safeguard the following principles: (a) participation in the work of the EU DSO entity is limited to registered members with the possibility of delegation within the membership; (b) strategic decisions regarding the activities of the EU DSO entity as well as policy guidelines for the board of directors are adopted by the general assembly; (c) decisions of the general assembly are adopted according with the following rules: (i) each member disposes of a number of votes proportional to the number of that member's customers; (ii) 65 % of the votes attributed to the members are cast; and (iii) the decision is adopted by a majority of 55 % of the members; (d) decisions of the general assembly are rejected according with the following rules: (i) each member disposes of a number of votes proportional to the number of that member's customers; (ii) 35 % of the votes attributed to the members are cast; and (iii) the decision is rejected by at least 25 % of the members; (e) the board of directors is elected by the general assembly for a mandate of a maximum of four years; (f) the board of directors nominates the President and the three Vice-Presidents from among the members of the board; (g) cooperation between transmission system operators and distribution system operators pursuant to Article s 56 and 57 is led by the board of directors; (h) decisions of the board of directors are adopted by an absolute majority; (i) on the basis of a proposal by the board of directors, the secretary general is appointed by the general assembly from among its members for a mandate of four years, renewable once; (j) on the basis of a proposal by the board of directors, Expert Groups are appointed by the general assembly and do not exceed 30 members, with the possibility of one-third of the members coming from outside the membership of EU DSO; in addition, one ‘country’ expert group shall be established and shall consist of one representative of distribution system operators from each Member State. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 54paragraph 2 | Procedures adopted by the EU DSO entity shall safeguard the fair and proportionate treatment of its members and shall reflect the diverse geographical and economic structure of its membership. In particular, the procedures shall provide that: (a) the board of directors is composed of the President of the Board and 27 members' representatives, of which: (i) nine are representatives of members with more than 1 million grid users; (ii) nine are representatives of members with more than 100 000 and less than 1 million grid users; and (iii) nine are representatives of members with less than 100 000 grid users; (b) representatives of existing DSO associations are permitted to participate as observers at the meetings of the board of directors; (c) the board of directors are not permitted to consist of more than three representatives of members who are based in the same Member State or in the same industrial group;(d) each Vice-President of the Board is nominated among representatives of members in each category described in point (a); (e) representatives of members who are based in one Member State or the same industrial group do not constitute the majority of the participants in the Expert Group; (f) the board of directors establishes a Strategic Advisory group that provides its opinion to the board of directors and the Expert Groups and consists of representatives of the European DSO associations and representatives of those Member States which are not represented in the board of directors. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 55paragraph 1 | The tasks of the EU DSO entity shall be the following: (a) promoting operation and planning of distribution networks in coordination with the operation and planning of transmission networks; (b) facilitating the integration of renewable energy resources, distributed generation and other resources embedded in the distribution network such as energy storage; (c) facilitating demand side flexibility and response and distribution grid users' access to markets; (d) contributing to the digitalisation of distribution systems including deployment of smart grids and intelligent metering systems; (e) supporting the development of data management, cyber security and data protection in cooperation with relevant authorities and regulated entities; (f) participating in the development of network codes which are relevant to the operation and planning of distribution grids and the coordinated operation of the transmission networks and distribution networks pursuant to Article 59.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 55paragraph 2 | In addition the EU DSO entity shall: (a) cooperate with the ENTSO for Electricity on the monitoring of implementation of the network codes and guidelines adopted pursuant to this Regulation which are relevant to the operation and planning of distribution grids and the coordinated operation of the transmission networks and distribution networks; (b) cooperate with the ENTSO for Electricity and adopt best practices on the coordinated operation and planning of transmission and distribution systems including issues such as exchange of data between operators and coordination of distributed energy resources; (c) work on identifying best practices on the areas identified in paragraph 1 and for the introduction of energy efficiency improvements in the distribution network; (d) adopt an annual work programme and an annual report; (e) operate in accordance with competition law and ensure neutrality. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 56paragraph 1 | While participating in the development of new network codes pursuant to Article 59, the EU DSO entity shall conduct an extensive consultation process, at an early stage and in an open and transparent manner, involving all relevant stakeholders, and, in particular, organisations representing such stakeholders, in accordance with the rules of procedure on consultation referred to in Article 53. That consultation shall also involve regulatory authorities and other national authorities, supply and generation undertakings, system users including customers, technical bodies and stakeholder platforms. It shall aim at identifying the views and proposals of all relevant parties during the decision- making process. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 56paragraph 2 | All documents and minutes of meetings related to the consultations referred to in paragraph 1 shall be made public.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 56paragraph 3 | The EU DSO entity shall take into consideration the views provided during the consultations. Before adopting proposals for the network codes referred to in Article 59 the EU DSO entity shall indicate how it has taken the observations received during the consultation into consideration. It shall provide reasons where it has not taken such observations into account.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 57paragraph 1 | Distribution system operators and transmission system operators shall cooperate with each other in planning and operating their networks. In particular, distribution system operators and transmission system operators shall exchange all necessary information and data regarding, the performance of generation assets and demand side response, the daily operation of their networks and the long-term planning of network investments, with the view to ensure the cost-efficient, secure and reliable development and operation of their networks. | DEL | Article 170paragraph (1)points 1 and 2 | (1) The electricity transmission system operator and the electricity distribution system operator shall cooperate to ensure economic and secure development and operation of their systems, and in particular in:1. planning the development of the systems, investments in increasing transmission capacity and connecting new users in order to ensure economic and secure development and operation of their networks;2. exchanging information necessary for the daily operation and performance of generation capacities connected to the respective system and demand response service providers; | Fully compliant |  |  |  |
| Article 57paragraph 2 | Distribution system operators and transmission system operators shall cooperate with each other in order to achieve coordinated access to resources such as distributed generation, energy storage or demand response that may support particular needs of both the distribution system operators and the transmission system operators.  | DEL | Article 170paragraph (1)point 3 | 3. coordinating and sharing resources, including distributed generation, energy storage or demand response services that can serve the needs of both systems. | Fully compliant |  |  |  |
| Article 58paragraph 1 | The Commission may, subject to the empowerments in Article s 59, 60 and 61, adopt implementing or delegated acts. Such acts may either be adopted as network codes on the basis of text proposals developed by the ENTSO for Electricity, or, where so provided for in the priority list pursuant to Article 59(3), by the EU DSO entity, where relevant in cooperation with the ENTSO for Electricity, and ACER pursuant to the procedure in Article 59, or as guidelines pursuant to the procedure in Article 61. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 58paragraph 2 | The network codes and guidelines shall: (a) ensure that they provide the minimum degree of harmonisation required to achieve the aims of this Regulation; (b) take into account regional specificities, where appropriate; (c) not go beyond what is necessary for the purposes of point (a); and (d) be without prejudice to the Member States' right to establish national network codes which do not affect cross-zonal trade.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 1 | The Commission is empowered to adopt implementing acts in order to ensure uniform conditions for the implementation of this Regulation by establishing network codes in the following areas: | DEL | Article 3 point 139 | ‘pan-European TCMs’ means the conditions, regulations and methodologies approved by ACER in accordance with European Union acquis that the transmission system operator and/or NEMO are obliged to apply in accordance with the provisions of this Law;  | Fully compliant |  |  |  |
| Article 59paragraph (1)point а | network security and reliability rules including rules for technical transmission reserve capacity for operational network security as well as interoperability rules implementing Article s 34 to 47 and Article 57 of this Regulation and Article 40 of Directive (EU) 2019/944, including rules on system states, remedial actions and operational security limits, voltage control and reactive power management, short-circuit current management, power flow management, contingency analysis and handling, protection equipment and schemes, data exchange, compliance, training, operational planning and security analysis, regional operational security coordination, outage coordination, availability plans of relevant assets, adequacy analysis, ancillary services, scheduling, and operational planning data environments;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 1 point b | capacity-allocation and congestion-management rules implementing Article 6 of Directive (EU) 2019/944 and Article 7 to 10, Article s 13 to 17 and Article s 35 to 37 of this Regulation, including rules on day-ahead, intraday and forward capacity calculation methodologies and processes, grid models, bidding zone configuration, redispatching and countertrading, trading algorithms, single day-ahead and intraday coupling, the firmness of allocated cross-zonal capacity, congestion income distribution, cross-zonal transmission risk hedging, nomination procedures, and capacity allocation and congestion management cost recovery;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 1 point c | rules implementing Article s 5, 6 and 17 in relation to trading related to technical and operational provision of network access services and system balancing, including rules on network-related reserve power, including functions and responsibilities, platforms for the exchange of balancing energy, gate closure times, requirements for standard and specific balancing products, procurement of balancing services, allocation of cross-zonal capacity for the exchange of balancing services or sharing of reserves, settlement of balancing energy, settlement of exchanges of energy between system operators, imbalance settlement and settlement of balancing capacity, load frequency control, frequency quality defining and target parameters, frequency containment reserves, frequency restoration reserves, replacement reserves, exchange and sharing of reserves, cross-border activation processes of reserves, time-control processes and transparency of information; |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 1 point d | rules implementing Article s 36, 40 and 54 of Directive (EU) 2019/944 in relation to non-discriminatory, transparent provision of non-frequency ancillary services,, including rules on steady state voltage control, inertia, fast reactive current injection, inertia for grid stability, short circuit current, black-start capability and island operation capability; |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 1 point e | rules implementing Article 57 of this Regulation and Article s 17, 31, 32, 36, 40 and 54 of Directive (EU) 2019/944 in relation to demand response, including rules on aggregation, energy storage, and demand curtailment rules. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 67(2). |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 2  | The Commission is empowered to adopt delegated acts in accordance with Article 68 supplementing this Regulation with regard to the establishment of network codes in the following areas: |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 2 point а  | network connection rules including rules on the connection of transmission-connected demand facilities, transmission-connected distribution facilities and distribution systems, connection of demand units used to provide demand response, requirements for grid connection of generators, requirements for high-voltage direct current grid connection, requirements for direct current-connected power park modules and remote-end high-voltage direct current converter stations, and operational notification procedures for grid connection;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 2 point b  | data exchange, settlement and transparency rules, including in particular rules on transfer capacities for relevant time horizons, estimates and actual values on the allocation and use of transfer capacities, forecast and actual demand of facilities and aggregation thereof including unavailability of facilities, forecast and actual generation of generation units and aggregation thereof including unavailability of units, availability and use of networks, congestion management measures and balancing market data. Rules should include ways in which the information is published, the timing of publication, the entities responsible for handling;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph (2)point c  | third-party access rules; |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph (2) point d  | operational emergency and restauration procedures in an emergency including system defence plans, restoration plans, market interactions, information exchange and communication and tools and facilities;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph (2) point e  | sector-specific rules for cyber security aspects of cross-border electricity flows, including rules on common minimum requirements, planning, monitoring, reporting and crisis management.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph (3) | The Commission shall, after consulting ACER, the ENTSO for Electricity, the EU DSO entity and the other relevant stakeholders, establish a priority list every three years, identifying the areas set out in paragraphs 1 and 2 to be included in the development of network codes. If the subject matter of the network code is directly related to the operation of the distribution system and not primarily relevant to the transmission system, the Commission may require the EU DSO entity, in cooperation with the ENTSO for Electricity, to convene a drafting committee and submit a proposal for a network code to ACER.  |  |  |  | Not relevant for RNM |  |  | This provision applies to the Member States of the European Union. |
| Article 59paragraph (4) | The Commission shall request ACER to submit to it within a reasonable period not exceeding six months of receipt of the Commission's request non-binding framework guidelines setting out clear and objective principles for the development of network codes relating to the areas identified in the priority list (framework guideline). The request of the Commission may include conditions which the framework guideline shall address. Each framework guideline shall contribute to market integration, non-discrimination, effective competition, and the efficient functioning of the market. Upon a reasoned request from ACER, the Commission may extend the period for submitting the guidelines.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph (5) | ACER shall consult the ENTSO for Electricity, the EU DSO entity, and the other relevant stakeholders in regard to the framework guideline, during a period of no less than two months, in an open and transparent manner.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 6 | ACER shall submit a non-binding framework guideline to the Commission where requested to do so under paragraph 4.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 7 | If the Commission considers that the framework guideline does not contribute to market integration, non-discrimination, effective competition and the efficient functioning of the market, it may request ACER to review the framework guideline within a reasonable period and resubmit it to the Commission.  |  |  |  | Not relevant for RNM |  |  | This provision applies to the Member States of the European Union. |
| Article 59paragraph 8 | If ACER fails to submit or resubmit a framework guideline within the period set by the Commission under paragraph 4 or 7, the Commission shall develop the framework guideline in question. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 9 | The Commission shall request the ENTSO for Electricity or, where provided for in the priority list referred to in paragraph 3, the EU DSO entity in cooperation with the ENTSO for Electricity, to submit a proposal for a network code in accordance with the relevant framework guideline, to ACER within a reasonable period, not exceeding 12 months, of receipt of the Commission's request.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 10 | The ENTSO for Electricity, or where provided for in the priority list referred to in paragraph 3 the EU DSO entity, in cooperation with the ENTSO for Electricity, shall convene a drafting committee to support it in the network code development process. The drafting committee shall consist of representatives of ACER, the ENTSO for Electricity, where appropriate the EU DSO entity and NEMOs, and a limited number of the main affected stakeholders. The ENTSO for Electricity or where provided for in the priority list pursuant to paragraph 3 the EU DSO entity, in cooperation with the ENTSO for Electricity, shall develop proposals for network codes in the areas referred to in paragraphs 1 and 2 where so requested by the Commission in accordance with paragraph 9.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 11 | ACER shall revise the proposed network code to ensure that the network code to be adopted complies with the relevant framework guidelines and contributes to market integration, non-discrimination, effective competition, and the efficient functioning of the market and, submit the revised network code to the Commission within six months of receipt of the proposal. In the proposal submitted to the Commission, ACER shall take into account the views provided by all involved parties during the drafting of the proposal led by the ENTSO for Electricity or the EU DSO entity and shall consult the relevant stakeholders on the version to be submitted to the Commission. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 12 | Where the ENTSO for Electricity or the EU DSO entity have failed to develop a network code within the period set by the Commission under paragraph 9, the Commission may request ACER to prepare a draft network code on the basis of the relevant framework guideline. ACER may launch a further consultation in the course of preparing a draft network code under this paragraph. ACER shall submit a draft network code prepared under this paragraph to the Commission and may recommend that it be adopted. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 13 | The Commission may adopt, on its own initiative, where the ENTSO for Electricity or the EU DSO entity have failed to develop a network code, or ACER has failed to develop a draft network code as referred to in paragraph 12, or upon the proposal of ACER under paragraph 11, one or more network codes in the areas listed in paragraphs 1 and 2.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 14 | Where the Commission proposes to adopt a network code on its own initiative, the Commission shall consult ACER, the ENTSO for Electricity and all relevant stakeholders in regard to the draft network code during a period of no less than two months. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 59paragraph 15 | This Article shall be without prejudice to the Commission's right to adopt and amend the guidelines as laid down in Article 61. It shall be without prejudice to the possibility for the ENTSO for Electricity to develop non-binding guidance in the areas set out in paragraphs 1 and 2 where such guidance does not relate to areas covered by a request addressed to the ENTSO for Electricity by the Commission. The ENTSO for Electricity shall submit any such guidance to ACER for an opinion and shall duly take that opinion into account.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 60paragraph 1 | The Commission is empowered to amend the network codes within the areas listed in Article 59(1) and (2) in accordance with the relevant procedure set out in that Article . ACER may also propose amendments to the networks codes in accordance with paragraphs 2 and 3 of this Article . |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 60paragraph 2 | Persons who are likely to have an interest in any network code adopted under Article 59, including the ENTSO for Electricity, the EU DSO entity, regulatory authorities, transmission system operators, distribution system operators, system users and consumers, may propose draft amendments to that network code to ACER. ACER may also propose amendments on its own initiative.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 60paragraph 3 | ACER may make reasoned proposals to the Commission for amendments, explaining how such proposals are consistent with the objectives of the network codes set out in Article 59(3) of this Regulation. Where it considers an amendment proposal to be admissible and where it proposes amendments on its own initiative, ACER shall consult all stakeholders in accordance with Article 14 of Regulation (EU) 2019/942.  | DEL | Article 58 paragraph (16) | Electricity transmission system operators and NEMOs, at the request of the ECRB or, when European Union Member States are concerned, to ACER, the Energy Regulatory Commission or other regulatory bodies shall be obliged to submit draft amendments to the TSM. | Fully compliant |  |  |  |
| Article 61paragraph 1 | The Commission is empowered to adopt binding guidelines in the areas listed in this Article . |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 61paragraph 2 | The Commission is empowered to adopt guidelines in the areas where such acts could also be developed under the network code procedure pursuant to Article 59(1) and (2). Those guidelines shall be adopted in the form of delegated or implementing acts, depending on the relevant empowerment provided for in this Regulation. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 61paragraph 3 | The Commission is empowered to adopt delegated acts in accordance with Article 68 supplementing this Regulation by setting out guidelines relating to the inter-transmission system operator compensation mechanism. Those guidelines shall specify, in accordance with the principles set out in Article s 18 and 49: (a) details of the procedure for determining which transmission system operators are liable to pay compensation for cross-border flows including as regards the split between the operators of national transmission systems from which cross-border flows originate and the systems where those flows end, in accordance with Article 49(2); (b) details of the payment procedure to be followed, including the determination of the first period for which compensation is to be paid, in accordance with the second subparagraph of Article 49(3); (c) details of methodologies for determining the cross-border flows hosted for which compensation is to be paid under Article 49, in terms of both quantity and type of flows, and the designation of the magnitudes of such flows as originating or ending in transmission systems of individual Member States, in accordance with Article 49(5); (d) details of the methodology for determining the costs and benefits incurred as a result of hosting cross-border flows, in accordance with Article 49(6); (e) details of the treatment of electricity flows originating or ending in countries outside the European Economic Area in the context of the inter-transmission system operator compensation mechanism; and (f) arrangements for the participation of national systems which are interconnected through direct current lines, in accordance with Article 49. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 61paragraph 4 | Where appropriate, the Commission may adopt implementing acts setting out guidelines providing the minimum degree of harmonisation required to achieve the aim of this Regulation. Those guidelines may specify: (a) details of rules for the trading of electricity implementing Article 6 of Directive (EU) 2019/944 and Article s 5 to 10, 13 to 17, 35, 36 and 37 of this Regulation; (b) details of investment incentive rules for interconnector capacity including locational signals implementing Article 19. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 67(2). |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 61paragraph 5 | The Commission may adopt implementing acts setting out guidelines on operational coordination between transmission system operators at Union level. Those guidelines shall be consistent with and build upon the network codes referred to in Article 59 and shall build upon the adopted specifications referred to in point (i) of Article 30(1). When adopting those guidelines, the Commission shall take into account differing regional and national operational requirements. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 67(2). |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 61paragraph 6 | When adopting or amending guidelines, the Commission shall consult ACER, the ENTSO for Electricity, the EU DSO entity and, where relevant, other stakeholders. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 62 | This Regulation shall be without prejudice to the rights of Member States to maintain or introduce measures that contain more detailed provisions than those set out in this Regulation, in the guidelines referred to in Article 61 or in the network codes referred to in Article 59, provided that those measures are compatible with Union law. |  |  |  | Not relevant for RNM |  |  | This article applies to the Member States of the European Union. |
| Article 63paragraph 1 | New direct current interconnectors may, upon request, be exempted, for a limited period, from Article 19(2) and (3) of this Regulation and from Article s 6 and 43, Article 59(7) and Article 60(1) of Directive (EU) 2019/944 provided that the following conditions are met: (a) the investment enhances competition in electricity supply; (b) the level of risk attached to the investment is such that the investment would not take place unless an exemption is granted; (c) the interconnector is owned by a natural or legal person which is separate, at least in terms of its legal form, from the system operators in whose systems that interconnector is to be built; (d) charges are levied on users of that interconnector; (e) since the partial market opening referred to in Article 19 of Directive 96/92/EC of the European Parliament and of the Council (24), no part of the capital or operating costs of the interconnector has been recovered from any component of charges made for the use of transmission or distribution systems linked by the interconnector; and (f) an exemption would not be to the detriment of competition or the effective functioning of the internal market for electricity, or the efficient functioning of the regulated system to which the interconnector is linked. | DEL | Article 106paragraph (1) | (1) The investor of a new electricity interconnector may request from the Energy Regulatory Commission a full or partial temporary exemption from the obligation to grant third-party access to the interconnector, if the following conditions are met:1. investment in the interconnector should increase competition and security in electricity supply;2. the risk associated with the investment is such that the investment cannot be realized unless an exemption from the obligation to grant third-party access is provided; 3. the interconnector for which exemption from the obligation to grant third-party access is requested must be owned by an entity that is independent, at least in its legal form, from the electricity transmission system operator of the Republic of North Macedonia and the electricity transmission system operator of the affected counter party of the Energy Community or a Member State of the European Union on whose territory the interconnector will be built (hereinafter: the affected country);4. users of the interconnector would be charged a fee; 5. as of 1 July 2007, no part of the costs of investment and operation of the interconnector have been reimbursed by the fees for use of the line by the transmission and distribution systems connected to that line and 6. the exemption from the obligation to grant third-party access shall not affect the competition and efficiency of the electricity market in the region, as well as the efficient operation of the transmission system to which the interconnector is connected. | Fully compliant |  |  |  |
| Article 63paragraph 2 | Paragraph 1 shall also apply, in exceptional cases, to alternating current interconnectors provided that the costs and risks of the investment in question are particularly high when compared with the costs and risks normally incurred when connecting two neighbouring national transmission systems by an alternating current interconnector.  |  |  |  | Не е транспонирано | Full compliance will be achieved by adopting another legal act in the field of energy. | Within nine months from the date of entry into force of this law |  |
| Article 63paragraph 3 | Paragraph 1 shall also apply to significant increases of capacity in existing interconnectors.  | DEL | Article 106 paragraph (2)point 2 | (2) A request for exemption from the obligation to grant third-party access to an interconnector may also be submitted to the Energy Regulatory Commission by:2. an investor who invests in a significant increase in the capacity of an existing interconnector. | Fully compliant |  |  |  |
| Article 63paragraph 4 | The decision granting an exemption as referred to in paragraphs 1, 2 and 3 shall be taken on a case-by-case basis by the regulatory authorities of the Member States concerned. An exemption may cover all or part of the capacity of the new interconnector, or of the existing interconnector with significantly increased capacity. Within two months of receipt of the request for exemption by the last of the regulatory authorities concerned, ACER may provide those regulatory authorities with an opinion. The regulatory authorities may base their decision on that opinion. In deciding to grant an exemption, regulatory authorities shall take into consideration, on a case-by-case basis, the need to impose conditions regarding the duration of the exemption and non-discriminatory access to the interconnector. When deciding on those conditions, regulatory authorities shall, in particular, take account of additional capacity to be built or the modification of existing capacity, the time-frame of the project and national circumstances. Before granting an exemption, the regulatory authorities of the Member States concerned shall decide on the rules and mechanisms for management and allocation of capacity. Those congestion-management rules shall include the obligation to offer unused capacity on the market and users of the facility shall be entitled to trade their contracted capacities on the secondary market. In the assessment of the criteria referred to in points (a), (b) and (f) of paragraph 1, the results of the capacity-allocation procedure shall be taken into account. Where all the regulatory authorities concerned have reached agreement on the exemption decision within six months of receipt of the request, they shall inform ACER of that decision. The exemption decision, including any conditions referred to in the third subparagraph of this paragraph, shall be duly reasoned and published.  | DEL | Article 106 Paragraphs (4) and (5) | (4) If the ECRB, and where applicable ACER, within 60 days of the date of receipt of the request referred to in paragraph (3) of this Article , submit an opinion on the request, the opinion shall be taken into account when adopting the decision referred to in paragraph (5) of this Article .(5) Within six months from the date of receipt of the request referred to in paragraphs (1) and (2) of this Article , the Energy Regulatory Commission, in cooperation with the competent regulatory body of the country affected, shall adopt a decision to uphold or dismiss the request, taking into account in particular: 1. the need for a limited duration of the exemption;2. non-discriminatory access to the interconnector;3. the duration of the construction of the interconnector;4. any additional capacities to be built or existing capacities to be upgraded, and5. the electricity market conditions in the Republic of North Macedonia, the country affected and the region. | Fully compliant |  |  |  |
| Article 63paragraph 5 | The decision referred to in paragraph 4 shall be taken by ACER: (a) where the regulatory authorities concerned have not been able to reach an agreement within six months from the date on which the last of those regulatory authorities received the exemption request; or (b) upon a joint request from the regulatory authorities concerned. Before taking such a decision, ACER shall consult the regulatory authorities concerned and the applicants.  | DEL | Article 106 paragraphs (10) and (11) | (10) If, within the deadline referred to in paragraph (5) of this Article , the Energy Regulatory Commission does not adopt a decision on the request referred to in paragraphs (1) and (2) of this Article , due to the failure to obtain consent from the competent regulatory body of the country affected or together with the competent regulatory body of the country affected have requested that the decision on exemption to be adopted by the ECRB or ACER, the decision on exemption adopted by the ECRB or ACER shall apply.(11) The Energy Regulatory Commission shall be obliged to participate in the consultations for the adoption of the decision referred to in paragraph (10) of this Article , if requested by the ECRB or ACER. | Fully compliant |  |  |  |
| Article 63paragraph 6 | Notwithstanding paragraphs 4 and 5, Member States may provide for the regulatory authority or ACER, as the case may be, to submit, for a formal decision, to the relevant body in the Member State, its opinion on the request for an exemption. That opinion shall be published together with the decision. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 63paragraph 7 | A copy of every request for exemption shall be transmitted for information without delay by the regulatory authorities to the Commission and ACER on receipt. The decision shall be notified, without delay, by the regulatory authorities concerned or by ACER (the notifying bodies), to the Commission, together with all the relevant information with respect to the decision. That information may be submitted to the Commission in aggregate form, enabling the Commission to reach a well-founded decision. In particular, the information shall contain: (a) the detailed reasons on the basis of which the exemption was granted or refused, including the financial information justifying the need for the exemption; (b) the analysis undertaken of the effect on competition and the effective functioning of the internal market for electricity resulting from the grant of the exemption; (c) the reasons for the time period and the share of the total capacity of the interconnector in question for which the exemption is granted; and (d) the result of the consultation of the regulatory authorities concerned. | DEL | Article 106paragraph (3) | The Energy Regulatory Commission, in agreement with the competent regulatory body of the country affected, shall submit the request referred to in paragraph (1) or paragraph (2) of this Article to the ECRB, and if the country affected is a Member State of the European Union, to ACER as well.  | Fully compliant |  |  |  |
| Article 63paragraph 8 | Within 50 working days of the day following that of receipt of the notification under paragraph 7, the Commission may take a decision requesting the notifying bodies to amend or withdraw the decision to grant an exemption. That period may be extended by an additional 50 working days where further information is requested by the Commission. The additional period shall begin on the day following receipt of the complete information. The initial period may also be extended by consent of both the Commission and the notifying bodies. Where the requested information is not provided within the period set out in the Commission's request, the notification shall be deemed to be withdrawn unless, before the expiry of that period, either the period is extended by consent of both the Commission and the notifying bodies, or the notifying bodies, in a duly reasoned statement, inform the Commission that they consider the notification to be complete. The notifying bodies shall comply with a Commission decision to amend or withdraw the exemption decision within one month of receipt and shall inform the Commission accordingly. The Commission shall protect the confidentiality of commercially sensitive information. The Commission's approval of an exemption decision shall expire two years after the date of its adoption in the event that construction of the interconnector has not started by that date, and five years after the date of its adoption if the interconnector has not become operational by that date, unless the Commission decides, on the basis of a reasoned request by the notifying bodies, that any delay is due to major obstacles beyond the control of the person to whom the exemption has been granted. | DEL | Article 106 paragraph (4) | If the ECRB, and where applicable ACER, within 60 days of the date of receipt of the request referred to in paragraph (3) of this Article , submit an opinion on the request, the opinion shall be taken into account when adopting the decision referred to in paragraph (5) of this Article . | Partially compliant | Full compliance will be achieved by adopting another legal act in the field of energy. | Within nine months from the date of entry into force of this law | This paragraph applies to the Member States of the European Union. |
| Article 63paragraph 9 | Where the regulatory authorities of the Member States concerned decide to modify an exemption decision, they shall notify their decision to the Commission without delay, together with all the relevant information with respect to the decision. Paragraphs 1 to 8 shall apply to the decision to modify an exemption decision, taking into account the particularities of the existing exemption.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| `Article 64paragraph 1 | Member States may apply for derogations from the relevant provisions of Article s 3 and 6, Article 7(1), Article 8(1) and (4), Article s 9, 10 and 11, Article s 14 to 17, Article s 19 to 27, Article s 35 to 47 and Article 51 provided that: (a) the Member State can demonstrate that there are substantial problems for the operation of small isolated systems and small connected systems; (b) outermost regions within the meaning of Article 349 TFEU cannot be interconnected with the Union's energy market for evident physical reasons. In the situation referred to in point (a) of the first subparagraph, the derogation shall be limited in time and shall subject to conditions aiming to increase competition and integration with the internal market for electricity. In the situation referred to in point (b) of the first subparagraph, the derogation shall not be limited in time. The Commission shall inform the Member States of those applications before adopting the decision, protecting the confidentiality of commercially sensitive information. A derogation granted under this Article shall aim to ensure that it does not obstruct the transition towards renewable energy, increased flexibility, energy storage, electromobility and demand response. In its decision granting a derogation the Commission shall set out to what extent the derogation is to take into account the application of the network codes and guidelines. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 64paragraph 2 | Article s 3, 5 and 6, Article 7(1), points (c) and (g) of Article 7(2)) Article s 8 to 17, Article 18(5) and (6), Article s 19 and 20, Article 21(1), (2) and (4) to (8), point (c) of Article 22(1), points (b) and (c) of Article 22(2), the last subparagraph of Article 22 (2), Article s 23 to 27, Article 34(1), (2) and (3), Article s 35 to 47, Article 48(2) and Article s 49 and 51 shall not apply to Cyprus until its transmission system is connected to other Member States' transmission systems via interconnections. If the transmission system of Cyprus is not connected to other Member States' transmission systems by means of interconnections by 1 January 2026, Cyprus shall assess the need for derogation from those provisions and may submit a request to prolong the derogation to the Commission. The Commission shall assess whether the application of the provisions risks causing substantial problems to the operation of the electricity system in Cyprus or whether their application in Cyprus is expected to provide benefits to the functioning of the market. On the basis of that assessment, the Commission shall issue a reasoned decision to prolong the derogation in full or in part. The decision shall be published in the *Official Journal of the European Union*.  | DEL |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 64paragraph 3 | This Regulation shall not affect the application of the derogations granted under Article 66 of Directive (EU) 2019/944.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 64paragraph 4 | In relation to the attainment of the 2030 interconnection target, as stipulated under Regulation (EU) 2018/1999, the electricity link between Malta and Italy shall be duly taken into account. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 65paragraph 1 | Member States and the regulatory authorities shall, on request, provide the Commission with all the information necessary for the purposes of enforcing this Regulation. The Commission shall set a reasonable time limit within which the information is to be provided, taking into account the complexity and urgency of the information required. | DEL | Article 59paragraphs (1)points 1 and 2 | (1) The Energy Regulatory Commission, the electricity transmission system operator and NEMO shall comply with and implement the opinions, recommendations and decisions of ACER and ECRB provided that:1. the acts adopted refer to them, and are related to resolving issues in situations affecting regulatory bodies, electricity transmission system operators and NEMOs from at least one European Union Member State bordering the Republic of North Macedonia;2. ACER’s competence to resolve the issues referred to in item 1 of this paragraph shall be determined by the competent authority in accordance with the obligations arising out of ratified international treaties. | Partially compliant | Full compliance will be achieved by adopting another legal act in the field of energy. | Within nine months from the date of entry into force of this law |  |
| Article 65paragraph 2 | If the Member State or the regulatory authority concerned does not provide the information referred to in paragraph 1 within the time limit referred to in paragraph 1 the Commission may request all the information necessary for the purpose of enforcing this Regulation directly from the undertakings concerned. When sending a request for information to an undertaking, the Commission shall, at the same time, forward a copy of the request to the regulatory authorities of the Member State in whose territory the seat of the undertaking is situated.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 65paragraph 3 | In its request for information under paragraph 1, the Commission shall state the legal basis of the request, the time limit within which the information is to be provided, the purpose of the request, and the penalties provided for in Article 66(2) for supplying incorrect, incomplete or misleading information.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 65paragraph 4 | The owners of the undertakings or their representatives and, in the case of legal persons, the natural persons authorised to represent the undertaking by law or by their instrument of incorporation, shall supply the information requested. Where lawyers are authorised to supply the information on behalf of their client, the client shall remain fully responsible in the event that the information supplied is incomplete, incorrect or misleading. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 65paragraph 5 | Where an undertaking does not provide the information requested within the time limit set by the Commission or supplies incomplete information, the Commission may by decision require the information to be provided. That decision shall specify what information is required and set an appropriate time limit within which it is to be supplied. It shall indicate the penalties provided for in Article 66(2). It shall also indicate the right to have the decision reviewed by the Court of Justice of the European Union. The Commission shall, at the same time, send a copy of its decision to the regulatory authorities of the Member State within the territory of which the person is resident or the seat of the undertaking is situated. | DEL |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 65paragraph 6 | The information referred to in paragraphs 1 and 2 shall be used only for the purposes of enforcing this Regulation. The Commission shall not disclose information acquired pursuant to this Regulation where that information is covered by the obligation of professional secrecy.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 66paragraph 1 | Without prejudice to paragraph 2 of this Article , the Member States shall lay down the rules on penalties applicable to infringements of this Regulation, the network codes adopted pursuant to Article 59, and the guidelines adopted pursuant to Article 61 and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, without delay, notify the Commission of those rules and of those measures and shall notify it without delay of any subsequent amendment affecting them.  | DEL | Article 278Paragraphs (1), (2) and (3) | (1) The initiation of a misdemeanour procedure for misdemeanours established by this Law may be requested by the authorities entrusted under this Law with supervisory responsibilities.(2) For misdemeanours referred to in Article s 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 293, 294, and 295, as well as in Article s 281 and 292 of this Law, for which a fine exceeding EUR 1,000 in denar equivalent for a legal entity, EUR 500 in denar equivalent for the responsible person in the legal entity, and EUR 250 in denar equivalent for a natural person is prescribed, a misdemeanour procedure shall be conducted and a misdemeanour sanction shall be imposed by the competent court, by the authorities referred to in paragraph (1) of this Article .(3) The provisions of the Law on Misdemeanours shall apply accordingly to the procedures referred to in paragraph (1) of this Article . | Fully compliant |  |  |  |
| Article 66paragraph 2 | The Commission may, by decision, impose on undertakings fines not exceeding 1 % of the total turnover in the preceding business year where, intentionally or negligently, those undertakings supply incorrect, incomplete or misleading information in response to a request made pursuant to Article 65(3) or fail to supply information within the time-limit set in a decision adopted pursuant to the first subparagraph of Article 65(5). In setting the amount of a fine, the Commission shall have regard to the gravity of the failure to comply with the requirements referred to in paragraph 1 of this Article .  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 66paragraph 3 | The penalties provided for pursuant to paragraph 1 and any decisions taken pursuant to paragraph 2 shall not be of a criminal law nature.  | DEL | Article 278paragraph (3) | The provisions of the Law on Misdemeanours shall apply accordingly to the procedures referred to in paragraph (1) of this Article . | Fully compliant |  |  |  |
| Article 67paragraph 1 | **Committee procedure**The Commission shall be assisted by the committee set up by Article 68 of Directive (EU) 2019/944. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 67paragraph 2 | Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 68paragraph 1 | The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article . |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 68paragraph 2 | The power to adopt delegated acts referred to in Article 34(3), Article 49(4), Article 59(2), Article 61(2) and Article 63(11) shall be conferred on the Commission until 31 December 2028. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of that period and, if applicable, before the end of subsequent periods. The delegation of power shall be tacitly extended for periods of eight years, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 68paragraph 3 | The delegation of power referred to in Article 34(3), Article 49(4), Article 59(2), Article 61(2) and Article 63(11) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect on the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated act already in force. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 68paragraph 4 | Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 68paragraph 5 | As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 68paragraph 6 | A delegated act adopted pursuant to Article 34(3), Article 49(4), Article 59(2), Article 61(2) and Article 63(11) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 69paragraph 1 | By 1 July 2025, the Commission shall review the existing network codes and guidelines in order to assess which of their provisions could be appropriately incorporated into legislative acts of the Union concerning the internal electricity market and how the empowerments for network codes and guidelines laid down in Article s 59 and 61 could be revised.The Commission shall submit a detailed report of its assessment to the European Parliament and to the Council by the same date. By 31 December 2026, the Commission shall, where appropriate, submit legislative proposals on the basis of its assessment. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 69paragraph 2 | By 31 December 2030 the Commission shall review this Regulation and shall submit a report to the European Parliament and to the Council on the basis of that review, accompanied by a legislative proposal where appropriate. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
| Article 70 | Regulation (EC) No 714/2009 is repealed. References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table set out in Annex III.  |  |  |  | Not relevant for RNM |  |  | This article applies to the Member States of the European Union. |
| Article 71paragraph 1 | This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  | It shall apply from 1 January 2020. Notwithstanding the first subparagraph, Article s 14, 15, 22(4), 23(3) and (6), 35, 36 and 62 shall apply from the date of entry into force of this Regulation. For the purpose of implementing Article 14(7) and Article 15(2), Article 16 shall apply from that date. This Regulation shall be binding in its entirety and directly applicable in all Member States. Done at Brussels, 5 June 2019. *For the European Parliament The President* A. TAJANI *For the Council The President* G. CIAMBA |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |