**Expression of interest for the inclusion of electricity generation or storage facilities in the network reserve according to the German regulation on reserve power plants (ResKV)**

Call for expression of interest   
based on the determination of the network reserve power requirement for the period of 2019/2020 of the Federal Network Agency (Bundesnetzagentur) from 04/05/2015

Documents for an expression of interest (EoI) for the   
inclusion of electricity generation or storage facilities (plants) in the network reserve according to ResKV from 27/06/2013 (expression-of-interest procedure documents)

**Expression of interest for the inclusion of plants in the network reserve**

**Submitted by:**

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# Introduction

The documents listed below for the expression of interest to include plants in the network reserve are provided in line with the regulation for the control of the process for the acquisition of a network reserve as well as for the control of the handling of planned decommissioning of energy plants for the guarantee of the safety and reliability of the electricity supply system (German regulation on reserve power plants - ResKV) from 27/06/2013, which is actually valid until 31th December 2017.

According to § 2 para. 1 ResKV, the purpose of the creation of a network reserve is to maintain generating capacities to guarantee the safety and reliability of the electricity supply system. In case of an additional demand for generating capacity for the network reserve confirmed by the Federal Network Agency according to § 3 ResKV, the concrete requirements for the necessary plant(s) including possible requirements for the location and the technical parameters are published by the transmission system operator respectively affected.

The documents listed below refer **exclusively to the expression-of-interest procedure starting on 04/05/2015 due to the determination of the reserve power requirement for the period 2019/2020 of the Federal Network Agency from 04/05/2015.**

# Process description for the procurement of network reserves via expression-of-interest procedures

The German transmission system operators jointly proceed an annual system analysis according to § 3 para 2 ResKV, which respectively has to be submitted to the Federal Network Agency by 1 April each year. The system analysis includes a consideration of the guaranteed generating capacities available for selected demand-relevant periods within the next five years. The system analyses indicate the total reserve demand for a safe and reliable operation of the electricity supply system. The comparison of the entire reserve demand with the reserve capacities that are already available possibly results in an additional demand for network reserves for the respective time period in question.

A possibly existing additional demand for network reserves is confirmed by the Federal Network Agency and published together with a report about the system analysis results on the internet page of the Federal Network Agency by the first regular business day in May of each year.

There also is the option to start further expression-of-interest procedures during the year aside from the deadlines specified in the ResKV to be able to react to current developments of the secured generating capacities available.

The transmission system operators jointly start the expression-of-interest procedures for the relevant time periods based on the additional network reserve demand determined by the Federal Network Agency. Usually, this occurs following the publication of the report by the Federal network Agency. The transmission system operators publish the concrete requirements for the plants necessary as well as the application documents required (this document) on their respective internet pages. Plant operators then are able to express their interest in the inclusion of their plant(s) into the network reserve until 15th May (legal time limit). The fully completed application documents have to be submitted to the competent transmission system operator electronically as well as in written form for this. The competent transmission system operator is:

* for Germany: respectively the connecting transmission system operator
* for Austria: TenneT TSO GmbH
* for Italy and Switzerland: TransnetBW GmbH
* for France: Amprion GmbH
* for Poland and the Czech Republic: 50Hertz GmbH
* for other European countries: TransnetBW GmbH.

After the period for the submission has lapsed, the expressions of interest are compiled and assessed by the transmission system operators in coordination with the Federal Network Agency. The assessment is carried out based on the criteria stated in chapter 5.3. The transmission system operators decide in coordination with the Federal Network Agency on the plants to be contracted. On this basis the competent transmission system operator initiates contract negotiations with the respective plant operators about the inclusion of the plant(s) for the network reserve. The competent transmission system operator obtains a confirmation of the contractual content from the Federal Network Agency prior to a possible conclusion of the contract. There is no entitlement to a contract conclusion. Contacts have to be arranged in a manner, that short term adaptations due to changes in the official or legal underlying conditions are possible at any time.

As stated in the report “Feststellung des Bedarfs an Netzreserve für den Winter 2015/2016 sowie die Jahre 2016/2017 und 2019/2020” (Network reserve power requirement for the winter 2015/16 and the period of 2016/2017 and 2019/2020), it is expected that, in case of a new legal framework following §13a EnWG and ResKV enters in to force, contractual conditions may be substituted by the new legal conditions or have to be adapted according to these new legal conditions.

# Fulfilment of demand

The additional network reserve demand is determined by the transmission system operators based on market and grid simulations and determined by the Federal Network Agency. The extent of the additional demand depends on the network-related effectiveness of the plants submitted in line with the expression-of-interest procedure according to the identified congestions in the transmission network out of proceeded demand analyses. Plants that are in a more favourable location in regards to the network have a higher sensitivity and therewith a higher network-related effect for congestion measures than other plants in a less favourable location.

Taking into account the lapsing legal background for a contractual relation for network reserve located in Germany for the period 2019/2020, this EoI procedure refers explicitly also to German plant operators, as opposed to other EoI procedures, however with respect to the following underlying conditions:

In coordination with the Federal Network Agency, all network reserve plants located in Germany, that did not officially indicate a final close down until 31th March 2015, were considered to be active in the power market in the demand analysis of 2015 and therefore available in terms of conventional redispatch for the transmission system operators. Due to this assumption, the additional network reserve demand for the period 2019/2020 can only be covered by plants that had officially indicated the final close down until 31th March 2015. Plant operators, who indicate the official final close down after the declaration day, may be entitled to participate in future EoI procedures, depending on the current legal framework.

# Requirements for the inclusion in the network reserve

# Plants in Germany

According to § 5 para 2 ResKV, plants in Germany or their operator generally have to meet all of the following requirements to be included in the network reserve:

* The plant must be relevant to the overall system in the sense of § 13a para 2 clause 8 and 9 EnWG (German Energy Industry Act [Energiewirtschaftsgesetz]).
* The plant operator commits to no longer use the plant, assigned for the network reserve, on the power market after the expiration of the contract until the final shut-down.
* The period of notice according to § 13a para 1 EnWG has lapsed at the planned beginning of the use in the network reserve or the plant has already been closed down provisionally[[1]](#footnote-1).
* All official and approval-related requirements for the operation of the plant are met for the duration of the contract or the plant is physically in a materially licensable state.

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| Requirement fulfilled | Yes O | No O | Comment no.\_\_\_\_ | Annex no.\_\_\_\_ |

# Plants in the European internal energy market and in Switzerland

According to § 5 para 3 ResKV, plants on the European internal energy market and in Switzerland or their operator generally have to meet all of the following requirements to be included in the network reserve:

* The plant is suitable to contribute to the solution for concrete system security problems in Germany, which means that it fulfils the technical suitability criteria according to chapter 5.
* The authorities responsible according to the national law of the country respectively affected do not raise any objections in regards to the guarantee of the security of supply.
* The commitment is secured for the required time period.

The guarantee of the contractual commitment across the time period also explicitly includes the acquisition of the necessary crossborder transmission capacities as early as possible.

The operators of foreign plants attach a written confirmation of the authorities responsible according to the national law of the country affected to this form as Appendix or submit it subsequently immediately after submitting the documents for the expression of interest.

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| Requirement fulfilled | Yes O | No O | Comment no.\_\_\_\_ | Annex no.\_\_\_\_ |

The obligation to no longer use the plant assigned for the network reserve on the power market after the expiration of the contract until the final shut-down does not apply for operators of foreign plants.

# Requirements for the inclusion of plant portfolios

The generating capacities to be provided to the network reserve in order to guarantee the safety and reliability of the energy supply system can also be provided via plant portfolios. The following requirements for this result from the criteria according to § 5 para 2 and 3 ResKV:

* Plants in Germany: All plants respectively must meet the requirements stated in chapter 4.1.
* Plants on the European internal energy market and in Switzerland: All plants respectively must meet the requirements stated in chapter 4.2. The requirement of the technical suitability according to § 5 para 3 ResKV thereby has to be applied to the plant portfolio. This especially means that several plants can only then be offered as plant portfolio if they all generate a similar physical effect with regard to the system security problems in Germany.
* The network reserve activation process is uniform for all plants of the portfolio.
* The physical effect of the plant portfolio can be suitably proven upon request.

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| Requirement fulfilled | Yes O | No O | Comment no.\_\_\_\_ | Annex no.\_\_\_\_ |

# Technical and economical suitability

Due to the different characteristics of the plants used in line with the ResKV and the scenarios to be considered,[[2]](#footnote-2) the requirements cannot be standardised such as the ones for the balancing power, for example. This applies to the location of the place of supply of the reserve power plant as well as the technical and procedural minimum requirements. However, the following minimum requirements should be met so that the technical suitability of a plant or a plant portfolio for a participation in the network reserve is generally given.

# Minimum requirements

The following technical and procedural minimum requirements must be met by the plants or their operators for an inclusion in the network reserve.

* The place of supply of the reserve power plant ensures that the plant or the plant portfolio can contribute to the solution for the concrete system security problems in Germany as they are described in the report of the Federal Network Agency.
* The continuous accessibility of the plant personnel is ensured, which means 7 days per week, 24 hours per day. The plant operator provides the competent transmission system operator, with whom the network reserve contract is concluded, with a contact centre in the ***network reserve data sheet***, which can always be reached by phone and per email.
* If generating capacity is requested from a plant or a plant portfolio in the network reserve, then the energy is supplied via a balance group in the control area of the connecting transmission system operator. If the plant or the pant portfolio is located outside of Germany in the European internal energy market or in Switzerland, then the plant operator shall ensure the management of balancing groups for the cross-border energy supply to the control area of the contracting transmission system operator. The plant operator especially ensures the acquisition of the necessary cross-border transmission capacities and the submission of the associated schedules as early as possible.
* The start-up time in case of a request should not exceed 24 hours.
* The requested power output set-point shall be adjustable and the plant operator must be able to implement it under consideration of possibly existing technical restrictions of the plant.
* The processing language is German or English.

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| Requirement fulfilled | Yes O | No O | Comment no.\_\_\_\_ | Annex no.\_\_\_\_ |

# Technical, procedural and economic data

The operator shall designate for each plant and each plan portfolio, for which he expressed interest for inclusion in the network reserve, the associated technical, procedural and economic data and parameters in the ***Network Reserve Data Sheet*** and submit it along with the available documents.

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| Requirement fulfilled | Yes O | No O | Comment no.\_\_\_\_ | Annex no.\_\_\_\_ |

# Assessment of the technical and economic suitability

The respective plant operator(s) with whom further contract negotiations will be initiated is/are selected based on the information provided, amongst others based on the following criteria:

* Technical suitability, especially start-up lead times, start-up time, demand change flexibility and place of performance (geographical location)
* Site of the supply, especially the network sensitivity to the critical congestions according to the demand analysis
* Secured fuel supply
* Economic efficiency under consideration of capacity costs and energy costs
* Other cost-relevant factors such as necessary maintenance and repairs.
* Official or legal marginal conditions and restrictions
* Sufficient transmission capacities

The provider with whom further contract negations will be conducted is selected under consideration of the aspects stated above. First, the generally technically and operatively suitable plants are selected. These plants are sorted after a joint review of the capacity-, start-up- and energy costs. The plants selected this way then undergo a network-related sensitivity analysis in regard to the effect on the grid congestions. The transmission system operators finally select in coordination with the Federal Network Agency the reserve provider with whom further contract negotiations should be conducted under consideration of the network sensitivity and the costs if there are no objections from the regional authorities.

# Legally binding declarations of the plant operator

We herewith declare

* that the information provided by us and the documents submitted are correct and true,
* that the data submitted in electronic form corresponds to the data submitted in written form,
* that we fully agree to the conditions described in these expression-of-interest procedure documents,
* that we will inform the transmission system operator immediately in writing if there are essential changes in the company data or details of the service underlying the expression of interest,
* that we will enter the respective contract negotiations immediately after receiving a notification and request from the transmission system operator in case of a technical and economic suitability of our plant(s),
* that we consent to the transfer of the information provided and the data sheet attached to the Federal Network Agency and the German transmission system operators.

The transmission system operators explicitly points out that the falseness of the above declarations can lead to the exclusion of our company from the ongoing and future expression-of-interest procedures. There is no legal entitlement to the conclusion of a contract.

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Place, date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Company

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(legally binding signature)

Enclosures:

🞎 Yes / No 🞎 Comments, no.\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_

🞎 Yes / No 🞎 Annexes, no .\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_

1. The obligation to no longer participate in the power market after the expiration of the contract on the use of the plant for the network reserve also applies for plants that have already been close-down provisionally. This is equivalent to a final close-down accordingly. [↑](#footnote-ref-1)
2. See report of the Federal Network Agency [↑](#footnote-ref-2)