

Appendix ./ 10: Nomination Rules for Physical Transmission Rights between Bidding Zones of EMS and MAVIR

1. National Commercial Terms and Conditions

1. General grid access for the use of allocated capacity is not covered by the scope of the Nomination Rules unless otherwise stipulated in the following provisions.
2. EMS and MAVIR will carry out the transmission services according to the respective Auction results in compliance with the legal requirements of grid access in each Control Area and applicable market rules of EMS and MAVIR.
3. EMS and MAVIR will commit themselves to ensure that the allocated capacity is operationally feasible for the Registered Participant solely at the border with the exception of Force Majeure and/or unplanned network conditions.
4. The TSOs set the following prerequisites for using allocated capacity and for using their transmission networks:
 - On EMS side – A valid and effective balance responsibility contract with EMS (Serbian ITR). This market participant or his counterparty on MAVIR side is allocated capacity holder.
 - On MAVIR side – valid and effective balancing contract with MAVIR or membership of a Hungarian balance-group and a valid and effective system usage contract (Hungarian ITR). This market participant or his counterparty on EMS side is allocated capacity holder.

2. Scheduling process

1. The use of allocated capacity must be in compliance with requirements stated in Chapter 1 of this Appendix.
2. The submitted schedule data of cross-border electricity exchange shall contain data which unambiguously determine the allocated capacity (Capacity Agreement Identification and Capacity Contract Type).
3. ITR which is allocated capacity holder can make nomination with several ITRs, by using one identification of allocated capacity (N:M).
4. Treatment in case of exceeding the amount of allocated capacity:
 - On EMS side: If the total of all Nominations of one Serbian ITR with the same allocated capacity exceeds the amount of allocated capacity in question, all transactions will be rejected. If the total of all Nominations of several Serbian ITRs with the same allocated capacity exceeds the amount of allocated capacity, transactions will not be rejected during nomination declaration gate. Pro-rata principle shall be applied on all transactions at nomination acceptance gate closure time.
 - On MAVIR side: If the total of all Nominations of several ITRs with the same allocated capacity exceeds the amount of allocated capacity, transactions will not be rejected during nomination declaration gate. Pro-rata principle shall be applied on all transactions at nomination acceptance gate closure time.

5. Any schedules differences remaining after nomination acceptance gate shall be resolved during matching process between MAVIR and EMS.
6. MAVIR and EMS compare/match delivered individual fixed schedules on common border. If there is a mismatch at long term nomination declaration gate closure time and daily nomination declaration gate closure time, MAVIR and EMS will inform affected ITRs, and ITRs are allowed to modify the delivered schedules during nomination acceptance gate. If there is still a mismatch at cut-off time, MAVIR and EMS will modify the delivered schedules in accordance with the following rules:
 - when value is different, the lower value is decisive,
 - when there is missing counterpart or the directions are not correct, zero values are taken into account.
7. At the cut-off time for matching process gate the fixed schedules will be fully accepted, partially accepted or rejected (i.e. values set to zero) in accordance with the matching result.
8. In case of non-compliance between the intraday Programmes nominated on both sides of electricity border, EMS and MAVIR are entitled to change and/or set lower values on the nominated intraday Programmes. In no event shall EMS and/or MAVIR be liable for any loss of profit, loss of business, or any other indirect incidental, special or consequential damages of any kind.

2.1. Long term scheduling process

1. In case of long term allocated capacity the schedules concerning the Hungarian-Serbian border must have been received by MAVIR and EMS until the long term nomination declaration gate closure time for the next business day in accordance with individual national market rules of each of the TSOs valid at the time of delivery. In case of mismatch at long term nomination declaration gate closure time MAVIR and/or EMS shall allow to affected ITRs to modify the delivered schedules till long term cut-off time. Modifications of schedules by Serbian ITRs/Hungarian ITRs after long term cut-off time are prohibited.
 - **Long term nomination declaration gate closure time: D-1 08:00 (CET)**
 - **Long term nomination acceptance gate closure time: D-1 08:30 (CET) (long term cut-off time)**
2. Application of " Use It Or Sell It (UIOSI) " principle for usage of long term allocated capacity means an automatic application by which the underlying Cross Zonal Capacity of the non-nominated Physical Transmission Rights is made available for Daily Capacity Allocation and whereby allocated capacity holders that do not nominate to use their rights receive a pay-out according to the relevant Long Term Allocation Rules.

2.2. Daily scheduling process

1. After finishing daily auction procedure, the use of the allocated capacities takes place by delivery of fixed schedules using daily allocated capacities received by MAVIR and EMS until the daily nomination declaration gate closure for the next business day in accordance with individual national market rules of each of the TSOs valid at the time of delivery. Modifications of schedules by Serbian ITRs/Hungarian ITRs after daily cut-off time are prohibited.
 - **Daily nomination declaration gate closure time: 14:30 (CET)**
 - **Daily nomination acceptance gate closure time: 15:30 (CET) (daily cut-off time)**
2. Application of "Use it or Lose it" principle for usage of daily allocated capacity means that this daily allocated capacity, if not used by fixed schedules at the cut-off time for

matching process, will be made available to all ITRs under the intraday allocation procedure and will not be compensated.

2.3. Intraday scheduling process

1. The intraday allocated capacity holder is obliged to use the entire amount of intraday allocated capacity. In this case the nominated amount of capacity is equal to the intraday allocated capacity obtained during intraday process for each hour and direction and it is fully matched with nomination of ITR. This obligation is monitored by Transmission Capacity Allocator.
2. If the intraday allocated capacity holder breaches this obligation at three (3) different business days during one (1) calendar year, the TSOs (MAVIR and/or EMS) shall exclude the intraday allocated capacity holder from intraday capacity allocation process for the period of three (3) months. The Transmission Capacity Allocator based on the request for exclusion from TSOs will submit the notice about exclusion to the intraday allocated capacity holder. This obligation is breached when the intraday allocated capacity holder does not use (or partially use) capacity at least one (1) hour in the gained period. The exclusion becomes effective with the date set in the notice but not earlier than next day after the Transmission Capacity Allocator receives the request for exclusion from TSOs.
3. The gate opening for intraday nomination declaration depends on local market rules but cannot be later than H-45min (H is the first hour of the allocated capacity). The same rules and data formats are used as for long term and daily scheduling process.
4. Different CAI is assigned to Rights Holders for each successful bid submission, per border and direction. Therefore, the nominations are submitted separately per each capacity allocated within the given bid. The number of CAIs is not fixed and depends on the number of submitted bids. Modifications of schedules by Serbian ITRs/Hungarian ITRs after intraday cut-off time are prohibited.
 - a. **Intraday nomination acceptance gate closure time: H – 45 min. (intraday cut-off time)**
 - b. **Confirmation of the nomination: not later than at H – 0h30min.**
5. The intraday matching takes place after each intraday capacity allocation and nomination process by taking into consideration gate opening for intraday nomination declarations and intraday cut-off time.
6. Matching is done on a single time-series basis i.e. there are no aggregations of time-series. The separate time-series with ID nominations exist for each successful intraday capacity reservation.
7. If matching result is not available till H-0h30min, all not yet matched nominated intraday Programmes are set to zero independently by both corresponding TSOs and consequently set as faultless.