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**Border Specific Annex for the Bidding Zone  
border Croatia – Serbia to the Harmonised  
Allocation Rules for long-term transmission  
rights**

15 September 2017

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**TITLE 1**  
**General provisions**

**Article 1**  
**Subject matter and scope**

1. This Annex to the Harmonised Allocation Rules for long-term transmission rights (hereafter referred to as "HAR") is related to the Article 51 of Commission Regulation (EU) 2016/1719 establishing a guideline on Forward Capacity Allocation (hereafter referred to as the "FCA Regulation") that is not directly applicable to the Bidding Zone borders outside of the European Union (hereafter referred to as "EU"). Bidding Zone border Croatia-Serbia is not yet part of any of the CCR since it is not mentioned in Annex 1 of Decision of the Agency for the Cooperation of Energy Regulators no 06/2016 of 17 November 2016 on the electricity transmission system operators' proposal for the determination of capacity calculation regions.
2. In accordance with Article 4 of the HAR, regional or border specificities may be introduced for one or more Bidding Zone borders. The purpose of this Annex to the HAR (hereafter referred to as the "Annex") is to apply the HAR (as amended by this Annex) to the Bidding Zone border Croatia-Serbia, which is not part of any CCR, i.e. to the Bidding Zone border between Croatian Transmission System Operator Ltd. (hereafter HOPS) and EMS AD Beograd (hereafter EMS). Rules described in this Annex are governed by the applicable EU legislation law or by applicable legal acts of Energy Community, and/or applicable national legislation. References to TSO or Transmission System Operator therefore include references to EU TSOs and transmission system operators from contracting parties of the Energy Community Treaty. References to NRA or National Regulatory Authority include references to NRAs of the European Union and NRAs from contracting parties of the Energy Community Treaty.
3. This annex enters into force as of the date of entry into force of the HAR in accordance with the applicable national regulatory regime. This annex may be reviewed based on request of the relevant National Regulatory Authorities. In case this annex needs to be amended based on a decision of the National Regulatory Authorities, Article 68 of the HAR shall apply.
4. If there is an inconsistency between any of the provisions in the main body of the HAR and this annex, the provisions in this annex shall prevail. The capitalised terms used in this annex are defined in the HAR to which this annex is attached.
5. The Allocation Platform on the border between Bidding Zones of EMS and HOPS shall be provided by JAO S.A., the Joint Allocation Office.

**TITLE 2**  
**Curtailement**

**Article 2**  
**Day Ahead Firmness deadline**

1. This Article 2 amends Article 58 of the HAR.

2. For the Bidding Zone borders where there are different Day Ahead Market Gate Closure Times on the two sides of the Bidding Zone borders the earliest Day Ahead Market Gate Closure Time shall be considered as basis for determination of the Day Ahead Firmness Deadline.

### **Article 3**

#### **Compensation for curtailments to ensure operation remains within Operational Security Limits before the Day Ahead Firmness Deadline**

1. This Article 3 replaces Article 59 of the HAR.
2. In cases of curtailment to ensure operation remains within Operational Security Limits before the Day Ahead Firmness Deadline the compensation for each affected hour and Registered Participant shall be calculated as the Long Term Transmission Rights in MW per hour corresponding to the difference between the allocated Long Term Transmission Rights held by the Registered Participant before and after the curtailment multiplied by the Marginal Price of the initial Auction.

### **Article 4**

#### **Reimbursement or compensation for curtailments due to Force Majeure or emergency situation after the Day Ahead Firmness Deadline**

1. This Article 4 replaces Article 61 of the HAR.
2. In the event of Force Majeure or an emergency situations after the Day Ahead Firmness Deadline, holders of curtailed Long Term Transmission Rights shall be entitled to receive a reimbursement calculated as the Long Term Transmission Rights in MW per hour corresponding to the difference between the allocated Long Term Transmission Rights held by the Registered Participant before and after the curtailment multiplied by the Marginal Price of the initial Auction.

### **Article 5**

#### **Remuneration of Long Term Transmission Rights holders for non-nominated Physical Transmission Rights**

1. For avoidance of doubts the reference in the Article 48(3) of the HAR to the Article 59 of the HAR is also amended by this Annex and the Article 48(3) of the HAR is therefore replaced by paragraph 2 of this Article.
2. The Allocation Platform shall compensate the Long Term Transmission Rights holder in accordance with Article 3(2) of this annex for the non-nominated Physical Transmission Rights which are not reallocated at the relevant daily allocation for other reasons than these mentioned in Article 48(2) of the HAR.

### **TITLE 3**

#### **Design of long-term transmission rights**

##### **Article 6**

##### **Type of long-term transmission rights**

In accordance with Article 4 of the HAR, the type of long-term transmission rights that shall be applied on Bidding Zone border Croatia-Serbia is Physical Transmission Rights pursuant to UIOSI principle.

##### **Article 7**

##### **Forward capacity time frames**

Long-term transmission rights on Bidding Zone border Croatia-Serbia shall be issued for the forward capacity time frames month and year.

##### **Article 8**

##### **Form of product**

1. Long-term transmission rights shall be issued in form of base load products with a fixed amount of MW over the product period.
2. The product form may include Reduction Periods, i.e. specific calendar days and/or hours within the product period, in which Cross Zonal Capacities with a reduced amount of MW are offered, taking into account a foreseen specific network situation (e.g. planned maintenance, long-term outages, foreseen balancing problems).
3. Where the product to be auctioned includes reduction periods, the auction specification shall include for each reduction period information on the duration of the reduction period and the amount of offered capacities.