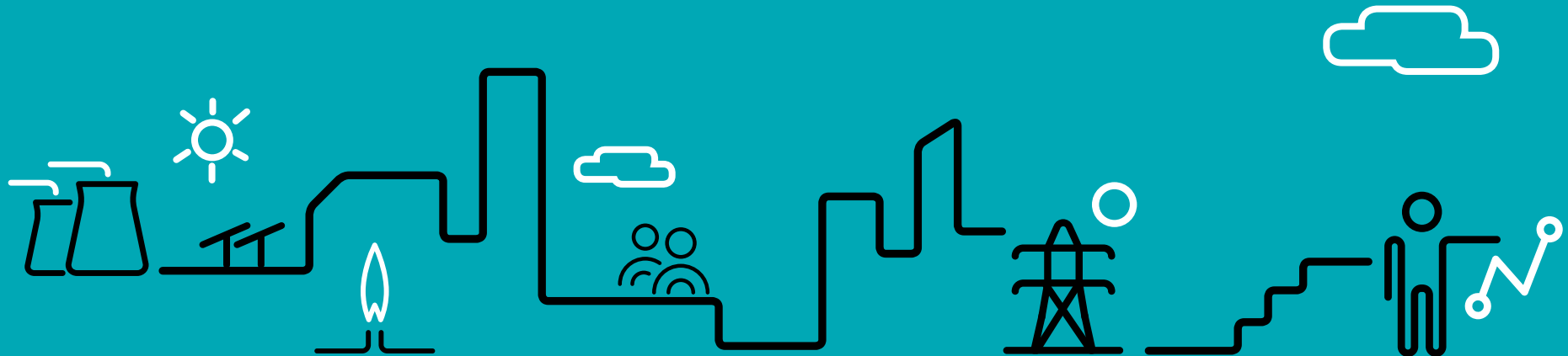


# Annual Report

2017



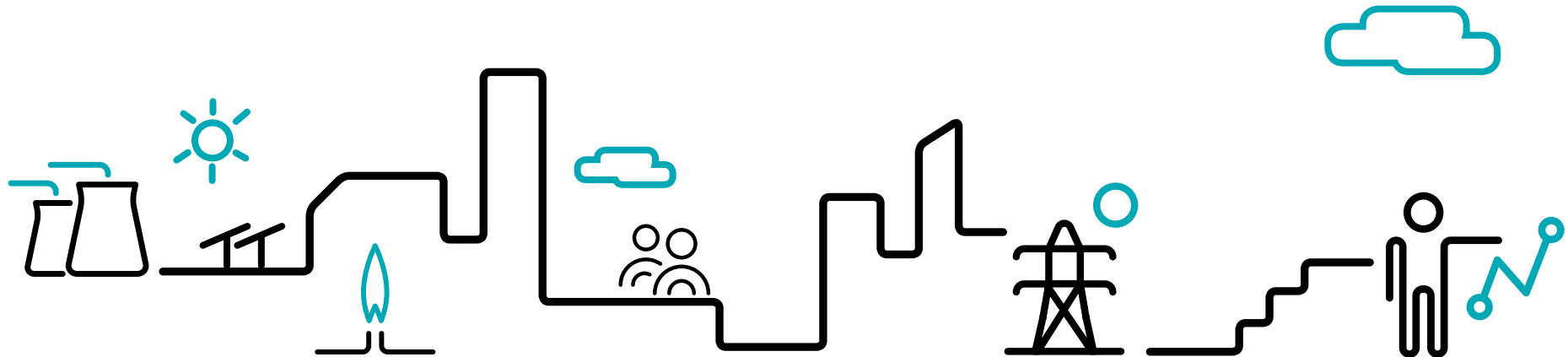
— CREG —

Commission for Electricity and Gas Regulation



# Annual Report

2017



— CREG —

# Table of contents

<b>1. Foreword</b> .....	<b>5</b>
<b>2. Key developments in national legislation</b> .....	<b>9</b>
<b>2.1. Establishing the legal framework for the Modular Offshore Grid</b> .....	<b>10</b>
<b>2.2. Improving demand flexibility and electricity storage</b> .....	<b>10</b>
<b>2.3. Access to the physical infrastructure of the system operators by electronic communication operators</b> .....	<b>11</b>
<b>2.4. Amending the federal support mechanism for renewable offshore energy</b> .....	<b>11</b>
<b>2.5. Amending the modalities concerning the impact of the federal electricity contribution</b> .....	<b>12</b>
<b>2.6. Amending the federal technical regulations</b> .....	<b>12</b>
<b>2.7. Collaboration between the CREG and the Belgian Competition Authority</b> .....	<b>12</b>
<b>3. The electricity market</b> .....	<b>13</b>
<b>3.1. Regulation</b> .....	<b>14</b>
3.1.1. Electricity generation .....	14
3.1.1.1. Electricity generation licences .....	14
3.1.1.2. Electricity generation in the North Sea .....	14
3.1.1.3. Analysis of support of offshore wind energy .....	16
3.1.1.4. Commissioning the Modular Offshore Grid .....	16
3.1.2. Electricity supply .....	16
3.1.2.1. Supplying customers connected to the transmission system .....	16
3.1.2.2. Price caps .....	17
3.1.2.3. Trends in and fundamentals of electricity prices .....	18
3.1.3. Transmission and distribution .....	18
3.1.3.1. Unbundling and certification of the transmission system operator .....	18
3.1.3.2. Corporate governance .....	18
3.1.3.3. Closed industrial networks and the traction power network .....	19
3.1.3.4. Technical operation .....	19
3.1.3.5. System tariffs .....	23
3.1.4. Cross-border issues .....	25
3.1.4.1. Access to cross-border infrastructure .....	25
3.1.4.2. Analysis of the investment plan of the transmission system operator for its compliance with the development plan for the network in the entire European Union .....	29
3.1.4.3. Impact of a number of actions on the functioning of flow-based market coupling .....	30
3.1.4.4. The use of Dynamic Line Rating in the capacity calculation .....	30
3.1.4.5. The implementation of network codes .....	30
3.1.4.6. Analysis of the results of the day-ahead market in Belgium and Germany/Austria from 1 May 2017 .....	31
<b>3.2. Competition</b> .....	<b>32</b>
3.2.1. Monitoring of wholesale and retail prices .....	32
3.2.1.1. CREG studies conducted in 2017 .....	32
3.2.1.2. Safety net .....	34
3.2.2. Monitoring of market transparency and openness .....	39
3.2.2.1. Electrical power demand .....	39
3.2.2.2. Market share of wholesale generation .....	39
3.2.2.3. Energy exchange .....	41
3.2.2.4. Measures for improved operation of the wholesale market .....	45
3.2.2.5. Transparency, REMIT and financial instruments .....	45
3.2.2.6. REMIT .....	45
3.2.2.7. Charter of best practices for electricity and gas price comparison websites .....	45
<b>3.3. Consumer protection</b> .....	<b>46</b>
<b>3.4. Security of supply</b> .....	<b>47</b>
3.4.1. Monitoring the balance between supply and demand .....	47
3.4.2. Monitoring of TSO investment plans .....	47
3.4.3. Operational security of the grid .....	48
3.4.4. Investment in cross-border interconnections .....	48
3.4.5. Measures to cover peak demand and deal with shortfalls .....	50
3.4.5.1. Strategic reserve: winter period 2017-2018 .....	50
3.4.5.2. Access to demand management .....	50

<b>4. The natural gas market</b> .....	<b>51</b>	<b>5. The CREG</b> .....	<b>69</b>
<b>4.1. Regulation</b> .....	<b>52</b>	<b>5.1. CREG's board of directors and staff</b> .....	<b>70</b>
4.1.1. Natural gas supply .....	52	<b>5.2. Gas and Electricity Advisory Board</b> .....	<b>72</b>
4.1.1.1. Federal natural gas supply licences .....	52	<b>5.3. General policy plan and comparative report on the objectives and achievements of CREG</b> .....	<b>74</b>
4.1.1.2. Price caps .....	53	<b>5.4. Handling questions and complaints</b> .....	<b>74</b>
4.1.1.3. Trends in and fundamentals of the natural gas price .....	54	<b>5.5. CREG website</b> .....	<b>74</b>
4.1.2. Transmission and distribution .....	54	<b>5.6. Presentations made by CREG</b> .....	<b>75</b>
4.1.2.1. Unbundling and certification of the transmission system operator .....	54	<b>5.7. CREG and other bodies</b> .....	<b>77</b>
4.1.2.2. Corporate governance .....	54	5.7.1. CREG and the European Commission .....	77
4.1.2.3. Technical operation .....	54	5.7.2. CREG within ACER .....	78
4.1.2.4. System tariffs and LNG tariffs .....	57	5.7.3. CREG within CEER .....	80
4.1.3. Cross-border issues and market integration .....	58	5.7.4. European Gas Regulatory Forum .....	83
4.1.3.1. Access to cross-border infrastructure .....	58	5.7.5. European Electricity Regulatory Forum .....	83
4.1.3.2. Analysis of the natural gas TSO's investment plan as regards consistency with the network development plan across the European Union .....	59	5.7.6. Citizens' Energy Forum .....	84
4.1.3.3. Market integration .....	59	5.7.7. Energy Infrastructure Forum .....	84
<b>4.2. Competition</b> .....	<b>61</b>	5.7.8. The CREG and the other national regulators .....	85
4.2.1. Monitoring of wholesale and retail prices .....	61	5.7.9. CREG and the FSMA .....	85
4.2.1.1. CREG studies conducted in 2017 .....	61	5.7.10. The CREG and Parliament .....	85
4.2.1.2. Safety net .....	61	5.7.11. The CREG and the regional regulators .....	85
4.2.2. Monitoring of market transparency and openness .....	62	5.7.12. The CREG and the competition authorities .....	86
<b>4.3. Consumer protection</b> .....	<b>62</b>	5.7.13. The CREG and Belgian universities .....	86
<b>4.4. Security of supply</b> .....	<b>62</b>	<b>5.8. The finances of the CREG</b> .....	<b>87</b>
4.4.1. Monitoring the balance between supply and demand .....	62	5.8.1. Federal contribution .....	87
4.4.2. Monitoring the investment plans of the natural gas transmission system operator .....	65	5.8.2. Funds .....	89
4.4.3. Forecasts of future demand, available reserves and additional capacity .....	66	5.8.3. Accounts 2017 .....	91
4.4.4. Covering peak offtake .....	67	5.8.4. Auditor's report on the financial statements for the year ended 31 December 2017 .....	96
		<b>5.9. List of acts drawn up by CREG in 2017</b> .....	<b>98</b>

## LIST OF TABLES

1	Energy offtake by customers connected to the federal transmission system, 2007 to 2017	16
2	Average unweighted imbalance tariff during the period 2007-2017	22
3	Trends in the tariff burden (not including connection, PSO tariffs and surcharges and VAT) for users of the transmission system during the period 2013-2019	24
4	Average export and import capacity and average nomination per year (MW)	27
5	Annual revenues from capacities offered for auction (in millions of euros)	29
6	Wholesale market shares in electricity generation capacity	40
7	Wholesale market shares in power generated	40
8	Elia grid load (power and peak capacity) for the period 2007-2017	47
9	Breakdown by plant type of installed capacity connected to the Elia grid as of 31 December 2017	47
10	Breakdown by primary energy type of electricity generated in 2016 by plants located on sites connected to the Elia grid	47
11	Companies operating in the Belgian market in natural gas transmission in 2017 - Change compared to 2016	52
12	Breakdown of Belgian natural gas demand by user segment between 2003 and 2017 (in TWh)	62
13	Directorates and staff of CREG as of 31 December 2017	71
14	Members of the Gas and Electricity Advisory Board as of 31 December 2017	73
15	Overview of presentations made by members of the CREG in 2017	75
16	Summary of the 2017 budget accounts in expenditure (€)	92
17	Summary of the 2017 budget accounts in revenue (€)	92
18	Income statement as of 31 December 2017 (€)	93
19	Balance as of 31 December 2017 (€)	94

## LIST OF FIGURES

1	Development of offshore wind power installed capacity per wind farm between April 2009 and December 2017	15
2	Net production of offshore green electricity per wind farm between April 2009 and December 2017	15
3	Average unweighted imbalance tariff and Belpex DAM price during the period 2007-2017	22
4	Availability and use of interconnection capacity from 2007 to 2017	26
5	Number of hours that a Critical Branch Critical Outage (CBCO) limited CWE cross-border trade depending on the location of the CBCO (bidding zone Belgium (BE), Netherlands (NL), France (FR) and Germany/Austria/Luxembourg (DE/AT/LU))	28
6	Daily congestion charges from market coupling	29
7	Monthly trends in the price of electricity in 2017 for a standard household customer (standard customer = 3,500 kWh/year) (energy component)	37
8	Monthly trends in the price of natural gas in 2017 for a standard household customer (standard customer = 23,260 kWh/year) (energy component)	37
9	Monthly trends in the price of electricity in 2017 for SMEs and the self-employed (standard customer = 50,000 kWh/year) (energy component)	38
10	Monthly trends in the price of natural gas in 2017 for SMEs and the self-employed (standard customer = 100,000 kWh/year) (energy component)	38
11	Average monthly load on the Elia grid from 2007 to 2017	39
12	Average monthly prices for the period 2007-2017 of the daily market for delivery of electricity in the countries of the CWE region	42
13	Average annual prices of the daily market for the supply of electricity in the countries of the CWE region for the period 2007-2017	43
14	Average monthly strength of the Epex Spot Belgium market between 2007 and 2017	43
15	Energy traded and average price on the intraday exchange	44
16	Comparison of wholesale prices for short-term and long-term contracts	44
17	Changes between 2007 and 2017 in the maximum physical load for the interconnections with France and the Netherlands	48
18	Change in Fluxys Belgium's natural gas transmission tariffs (entry and exit tariffs for H gas) between 2007 and 2017	58
19	Net natural gas transactions between the ZTP* Belgian natural gas market and the markets in the neighbouring countries during the period 2011-2017 (in TWh/year, H gas and L gas)	60
20	Average annual natural gas price on the day-ahead and year-ahead markets	60
21	Distribution of Belgian H gas and L gas demand by user segment in 2016 and 2017	62
22	Development of natural gas consumption per user segment during the 1990-2017 period (1990=100), corrected for climate variations	63
23	Breakdown of incoming natural gas by entry zone in 2017	64
24	Composition of the average supply portfolio of suppliers operating in Belgium in 2017	64
25	Composition of the average supply portfolio for the Belgian natural gas market between 2000 and 2017 (shares in %)	64
26	Market shares of supply companies in the transmission network in 2017	65
27	Forecast for demand for natural gas in Belgium until 2027 (GWh, normalised t°, H+L)	66
28	Breakdown of the peak offtake by user segment in 2017	67
29	Breakdown of the sources of natural gas to cover the peak offtake in 2017	67

# 1



# Foreword



Energy, an integral part of our daily lives, is without doubt the challenge of the future. As the federal regulator, it is the CREG's responsibility to monitor the relevance and clarity of its studies, opinions and decisions, as well as the relevant communication. In this context, the CREG will continue to invest in the development of its website as a platform for consumers to better understand the market, and make informed decisions. Energy professionals can go to a more specialised section, where they can find - in addition to specific information - a user-friendly presentation of public consultations and publications. The CREG is committed to the needs of the various target groups and makes information more accessible, without making concessions in terms of thoroughness and expertise.

The CREG Scan, launched in 2017, is a first for Europe. This tool allows consumers to compare their past electricity and natural gas contracts with current offers, even when their contracts are no longer offered on the market. By the end of 2017, the number of people using the tool had surpassed 250,000. The value of the CREG Scan was once again confirmed by the study into the product portfolios of the electricity and natural gas suppliers. In May 2017, the CREG published an update of this study from 2015. The study revealed that, while Belgian households, SMEs and the self-employed are active in the energy market, a significant group of consumers still have older and often more expensive contracts. Moreover, the CREG warns against expensive renewal contracts.

It is mainly these products that can lead to significant savings.

In accordance with its mission, in 2017 the CREG also continued to focus on improving the operation of the market to protect the interests of all consumers. For example, the annual study on the components of electricity and natural gas prices provides insight into their progression - since 2007 - for households and SMEs.

In October 2017, the CREG published its annual report on the safety net mechanism, for the fourth time. This mechanism has helped to provide clearer and more transparent information to the various market participants, for example by making it compulsory to use indexation parameters linked to stock exchange listings for electricity and natural gas. In this most recent report, the CREG outlines its monitoring tasks for the period 2013-2017. Since no market distorting effects have ever been identified, and in order to further guarantee transparency for market participants, the CREG argued in favour of retaining the provisions of the royal decrees, or including them in the Electricity Act and the Gas Act, after the anticipated expiry date of the safety net mechanism on 31 December 2017.

For large-scale consumers, the CREG carried out its third annual follow-up study, with the assistance of PwC. This study confirms that competition with electricity-intensive consumers abroad remains a problem for Belgian electricity-intensive companies.

In addition, the CREG contributed to drafting the draft law for the Modular Offshore Grid. This 'socket at sea', which falls under Belgian jurisdiction, aims to gradually integrate a number of offshore wind farms into a grid. In this framework, the Law of 13 July 2017 also assigns new responsibilities to the CREG.

In July 2017, the Electricity Act was amended to promote flexibility of demand on the one hand, and electricity storage on the other. This legislative proposal is closely linked to two studies carried out by the CREG on these issues. Within the framework of its authority, the CREG aims to be able to propose adapted legislation that is as close as possible to the reality on the ground and that responds to the challenges of tomorrow. Appropriate legislation is a key element in this respect.

In addition, the CREG published its report on the verification of the revenues and actual costs of the Tihange 1 nuclear power plant for the period January to December 2016. In accordance with the law, the CREG also submitted its opinion to the Minister for Energy concerning the profit margin for the nuclear power plants subject to the distribution contribution for the year 2016.

Finally, European regulations have become an integral part of our current energy policy. As such, it is extremely important for the CREG to strive for the completion of the internal European energy market in the framework of the Third Energy Package and for the protection of the interests of end consumers.



Now that the most recent European network codes and guidelines implementing the package have been published, the focus in 2017 was on implementing these new regulations at regional and national level. As is the case for all European national energy regulators, this will broaden the activities of the CREG, and will increase the need for European and regional cooperation. The activities of the CREG in this area are carried out in collaboration with the regional regulators for matters also falling within their competence and with other competent bodies at the federal level.

But apart from the ongoing regulatory adjustments, work also needs to continue on building for the future. As such, the CREG welcomes the efforts of the European Commission to promote the integration of renewable sources into the market, and maximise the use of cross-border interconnection capacity through more flexible price signals. However, it is necessary at the same time to avoid overly restrictive rules that could stifle innovation. The one size fits all approach is not suitable in every domain. Consequently, there is a call at European level for recognition of the specific regional nature of energy markets, while maintaining consistency between regional developments, in order to achieve a well-functioning EU-wide internal energy market. In particular, the CREG will continue to approach the proposals from the perspective of its key values of objectivity and independence, and with the interests of all consumers in mind.



A handwritten signature in blue ink, appearing to read 'MP Fauconnier', with a long, sweeping underline.

**Marie-Pierre Fauconnier**

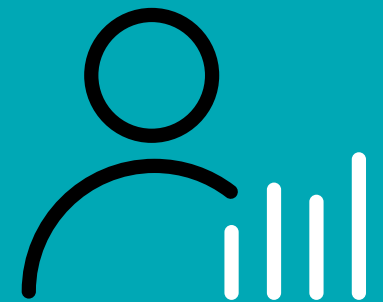
Chair of the board of directors  
March 2018



# 2



## Key national legislative developments



## 2.1. Establishing the legal framework for the Modular Offshore Grid

The Law of 13 July 2017 (Belgian Official Journal of 19 July 2017) has taken over a number of provisions from the Law of 29 April 1999 on the organisation of the electricity market (hereinafter referred to as the 'Electricity Act') to establish a legal framework for the Modular Offshore Grid (MOG), which aims to gradually integrate a certain number of future offshore wind farms into a transmission installation in the maritime areas under Belgian jurisdiction.

The Law of 13 July 2017 first defines the concept of a 'MOG' and then lists the elements that form part of it. In addition, it requires the King to determine, at the proposal of the CREG, the latest date by which the MOG must be brought into service, and the establishment of a compensation system for the concession holders involved in the event of unavailability of the MOG, specifically if the elements of the MOG have not been put into service by the date set by the King, or if the MOG is wholly or partially unavailable after its entry into service.<sup>1</sup> The law clarifies that the costs represented by any payable fees for the system operator will be passed on in tariffs, in accordance with the tariff methodology, except if the fee is due to serious or intentional errors. In such cases, the costs will be charged to the system operator, within the limits, however, '*for all events occurring in a given year, [of] the compensation granted to it during that same year for the construction and management of the Modular Offshore Grid*'. Article 12, § 5 of the Electricity Act is also amended by introducing new tariff guidelines which read as follows (translation): 'the rules for the allocation of the costs of the Modular Offshore Grid between the various categories of grid users shall be laid down, taking into account

the safeguarding of the competitiveness of the electricity-intensive end consumers'.

The Law of 13 July 2017 also introduces an obligation to connect to the MOG for concession holders who have not yet concluded their financial close. They will only be able to connect directly to the mainland grid in the event of absolute impossibility, confirmed by the Minister for Energy, to build the MOG.

Given the fact that the MOG forms part of the transmission system and the legal monopoly in this respect, it is up to the system operator (Elija System Operator) to build and operate the MOG. However, the Law of 13 July 2017 allows third parties (in practice: offshore concession holders) to build parts of the MOG which, considered separately, have the characteristics of an individual connection. Such an arrangement can only be considered if the third party in question already has the necessary administrative authorisations at the time of the entry into force of the law, has also obtained the approval of the system operator and the CREG before work commences, and has expressly agreed to comply with the principles laid down by the CREG as regards the valorisation of the plant with a view to transferring it to the system operator. This transfer needs to take place prior to the integration of the installation into the MOG, and in any event within 12 months of the entry into service of the offshore wind farm in question. On the joint proposal of the system operator and the owner of the installation, the CREG will determine the value of the installation no later than 11 months after the wind farm is put into service.

Finally, the Law of 13 July 2017 requires the King to specify the conditions for the transfer of the necessary administrative permits if an installation which is part of the MOG is transferred

to the system operator. It also authorises the King to specify the conditions under which the system operator may use the installations of the offshore concession holders and place its own installations there in the context of a public easement.

The draft law was prepared in close collaboration with the CREG.

## 2.2. Improving demand flexibility and electricity storage

Another law enacted on 13 July 2017 (published in the Belgian Official Journal on 19 July 2017) also amended the Electricity Act, this time to improve demand flexibility on the one hand, and electricity storage on the other. The draft law submitted to the Chamber of Representatives is largely based on two studies carried out by the CREG on the issue.<sup>2</sup>

Demand flexibility is now defined in the law as '*the ability of an end consumer to voluntarily adjust its net offtake upwards or downwards in response to an external signal*'.

The relevant provisions are the subject of a new section, IVbis, which has been added to the Electricity Act.

A new article 19bis starts by laying down the applicable principles. First, every end consumer has the right to valorise its demand flexibility with the provider of flexibility services of its choice. In addition, each end consumer is the owner of, and has free access to, its flexibility data. Finally, any provider of flexibility services should entrust the responsibility for balancing the flexibility it manages to an *Access Responsible Party (ARP)*.

<sup>1</sup> In this context, on 10 November 2017, the CREG submitted proposal (C)1697 for a Royal Decree to the Minister for Energy, establishing the final date on which each part of the Modular Offshore Grid must be put into service, as well as the compensation system for the concession holders of an offshore domain in the event of unavailability of the Modular Offshore Grid.

<sup>2</sup> Study (F)150423-CDC-1412 on the profitability of electricity storage in Belgium (In French/Dutch) (see Annual Report 2015, point 3.2.1.1) and study (F)160503-CDC-1459 on the resources to be applied to facilitate participation in demand flexibility on the electricity markets in Belgium (in French/Dutch) (see point 3.4.5.2 of the Annual Report 2016).

Article 19bis also gives the CREG responsibility for laying down, on the proposal of the transmission system operator, the rules for the organisation of the energy transmission, which refers to 'an activation of demand flexibility involving a supplier and a flexibility service provider, who have a separate ARP and/or a provider of flexibility services who is not their supplier'. It is clarified that these rules apply to each type of market, including the day-ahead market (DAM) and the *intraday* market (IDM), provided that a phasing is specified. These rules are approved after consultation with the competent regional authorities.

Article 19bis also gives the CREG the power to specify, inter alia, the following: (i) formula(s) for determining the standard price (if the provider of flexibility services and the supplier fail to reach agreement on this), (ii) the mechanisms for financial and contractual guarantees to be obtained from the provider of flexibility services and (iii) the standard clauses applicable in the absence of an agreement between the parties on the terms of their contractual relationship.

In addition, a new article 19ter requires transmission system operators to manage the flexibility data in the context of an energy transfer. This provision also specifies that, as regards the management of flexibility data of end consumers connected to the distribution networks, the transmission system operator must reach an agreement with the persons authorised in this regard by the applicable regional legislation. Finally, the legislator expressly states that the costs incurred by the system operator in carrying out the various tasks relating to the valorisation of flexibility by end consumers must be covered by the tariffs, in accordance with the modalities to be specified in the tariff methodology.

As regards storage, which is defined in concise fashion as '*any process whereby electricity is taken off from the grid at the same installation and subsequently fully re-injected into the grid, subject to yield losses*', the Law of 13 July 2017 contains two promotion measures: firstly, it adds tariff guidelines to Article

12, §5, of the Electricity Act, stating that the tariff methodology must contain incentives to promote this technology - and, if necessary, via another tariff system; secondly, the law exempts storage from the federal contribution which is in principle due for the offtake of electricity from the grid.

### 2.3. Access to the physical infrastructure of the system operators by electronic communication operators

On 23 May 2014, Directive 2014/61/EU of the European Parliament and of the Council of 15 May 2014 on measures to reduce the cost of deploying high-speed electronic communications networks was published. Member States had until 1 January 2016 to transpose this directive, in order for the provisions to enter into force on 1 July 2016.

The directive is in line with the framework established by the Digital Agenda for Europe which was adopted by the European Commission in August 2010.

One of the objectives of the Digital Agenda is to make high speed networks accessible to all and to facilitate investment in new, very fast networks.

To promote the deployment of high-speed electronic communications networks, the directive seeks to reduce the costs of establishing such networks by, inter alia, encouraging the joint use of existing physical infrastructure (gas, electricity, water, etc.).

The directive identifies various pillars to make the deployment of high-speed electronic communications networks more efficient and therefore cheaper.

The Law of 31 July 2017 (Belgian Official Journal of 9 August 2017) amending the Law of 12 April 1965 on the transport of gaseous and other products by pipeline and the Law of 29 April

1999 on the organisation of the electricity market, with a view to reducing the costs of constructing high-speed electronic communication networks, is part of this context.

The new provisions added to the Electricity Act and the Gas Act govern access to existing infrastructure, the transparency of this infrastructure, the coordination of civil engineering works and the transparency of civil engineering works.

### 2.4. Amending the federal support mechanism for renewable offshore energy

A Royal Decree of 9 February 2017 (Belgian Official Journal of 22 February 2017) amended the Royal Decree of 16 July 2002 on the establishment of mechanisms for the promotion of electricity produced from renewable energy sources. This amendment specifically aims to support the electricity generated by the installations in the maritime areas under Belgian jurisdiction (i.e. offshore wind turbines) whose financial close took place after 30 April 2016, in order to comply with the European Commission guidelines on State aid for environmental protection and energy for the period 2014-2020.

First, the amount of the levelised cost of energy (LCOE), which serves as the basis for determining the minimum purchase price for green certificates, is adjusted: the projects which had already had their financial close when the Royal Decree was enacted (Rentel NV and Norther NV) were allocated an LCOE directly by the Royal Decree, while for future concessions it is specified that the amount of the LCOE will be determined by ministerial decree, following a reasoned proposal from the CREG and taking into account the need to avoid oversubsidising, and the interests of the end consumer.

Further amendments are being made to the Royal Decree of 16 July 2002, taking account of the adjustment of the LCOE: the duration of the compulsory purchase of green certificates will be reduced from 20 to 19 years for system operators; the possibility

for the CREG to adjust the parameters for setting the minimum price will now be limited to the correction factor and will no longer relate to the LCOE; the hypotheses in which green certificates can be given a value of €0 will be extended to situations in which the price of the day-ahead market of an exchange is less than €0/MWh in a period of at least six consecutive hours.

This new mechanism, which required three successive proposals from the CREG<sup>3</sup>, was approved by decision of the European Commission on 8 December 2016.

### 2.5. Amending the modalities concerning the impact of the federal electricity contribution

In accordance with Article 21bis of the Electricity Act, the federal electricity contribution which finances certain public service obligations (PSOs) and the costs of regulating the market is payable by end consumers on each kWh taken off from the grid to which they are connected. Taking into account the financing requirements of each fund financed by the federal contribution, the unit amount of the contribution is determined each year, in accordance with the Royal Decree of 24 March 2003, on the basis of the volume of electricity transported annually through the transmission system. The calculation does not take into account electricity generation on the distribution networks. Given that the volume of electricity purchased by customers connected to the distribution network is greater than the volume of electricity transported over the transmission network, until 1 January 2018, a higher overall amount was consequently charged to these end consumers than the level strictly necessary to finance the various funds financed by the federal contribution.

The Royal Decree of 31 October 2017 (Belgian Official Journal of 24 November 2017) is intended to put an end to this situation and requires the distribution system operators to inform the CREG each year of the difference between the revenues and the

costs of the federal contribution invoiced to their customers. This difference will take into account, firstly, the rate of loss of the network and, secondly, the electricity generation injected into the distribution system. Based on this difference, the CREG will draw up a settlement for each distribution system operator.

The Royal Decree of 31 October 2017 also extends the obligations of electricity companies that have submitted applications for reimbursement, reduction or exemption from the federal contribution during the course of a given year, by requiring a certificate from an auditor or accountant certifying the amounts requested from the CREG by 30 June of the following year at the latest.

The CREG was involved in preparing this draft Royal Decree.

### 2.6. Amending the federal technical regulations

On 3 December 2017, a Royal Decree amending article 157 of the Royal Decree of 19 December 2002 establishing technical regulations for the management of the electricity transmission system and access thereto, was enacted (Belgian Official Journal of 18 December 2017).

Article 157 contains a general description of the means at the disposal of the system operator to ensure the equilibrium of the grid. These means include activating the capacity that producers are obliged to place at the disposal of the system operator (non-reserved capacity) and activating the tertiary reserve that is made available to the system operator in the context of the acquisition of ancillary services (reserved capacity). Article 157 of the technical regulations stipulates that the system operator must first activate the non-reserved tertiary adjustment capacity, and then activate the reserved tertiary adjustment capacity.

The Royal Decree abolishes the requirement to always activate the reserved tertiary adjustment capacity after the non-reserved tertiary adjustment capacity.

On 31 August 2017, at the request of the Minister for Energy, the CREG issued an opinion on the draft Royal Decree.<sup>4</sup> This referred in particular to formal and drafting issues, and also proposed adaptations to the report to the King, to align it with the provisions of the draft.

### 2.7. Collaboration between the CREG and the Belgian Competition Authority

On 15 December 2017, the Royal Decree was published in the Belgian Official Journal<sup>5</sup> which further governs the cooperation between the CREG and the Belgian Competition Authority (BMA) and the framework within which both institutions engage in dialogue. The mutual exchange of information and regular consultations between the two institutions form the basis for an optimal functioning of the electricity and natural gas markets and an efficient coordination between sectoral regulation and competition law.

This Royal Decree further regulates the mutual exchange of information between the two institutions. This pertains to the exchange of all useful information, including confidential information, between both institutions to the extent necessary to carry out their duties. In addition, this Royal Decree provides for regular consultations between the CREG and the BMA on developments in the electricity and gas sectors and in the field of competition law. These consultations are intended to achieve a harmonious and coherent interpretation of sectoral and competition law. Furthermore, this Royal Decree also regulates the way in which the intervention in formal procedures takes place.

<sup>3</sup> Proposals no. 1505, 1539 and 1577 (see Annual Report 2016, point 3.1.1.2.B).

<sup>4</sup> Opinion (A)1161 on a draft Royal Decree amending the Royal Decree of 19 December 2002 establishing technical regulations for the management of the electricity transmission system and access thereto.

<sup>5</sup> Royal Decree of 3 December 2017 on the cooperation between the Commission for the Regulation of Electricity and Gas and the Belgian Competition Authority.

# 3



## The electricity market



## 3.1. Regulation

### 3.1.1. Electricity generation

#### 3.1.1.1. Electricity generation licences

The construction of installations for electricity generation is subject to the prior granting of an individual permit issued by the Federal Minister for Energy on the advice of the CREG.

In this context, the CREG issued an opinion in 2017 on the need to renew the individual generation permit of Dils-Energie NV for the construction of an installation for electricity generation consisting of two steam and gas-fired power plants (CCGTs), each with a capacity of 460 MWe in Dilsen-Stokkem.

The CREG issued a favourable opinion as regards maintaining the individual generation permit.<sup>6</sup>

On the other hand, the construction of new Belgian production installations with a net developable capacity of less than or equal to 25 MWe does not require prior ministerial approval, but it is subject to an obligation of prior notification to CREG and to the federal Energy Minister or their delegate. In 2017, the CREG received 24 such notifications.

#### 3.1.1.2. Electricity generation in the North Sea

##### A. Domain concessions for offshore wind energy

In response to a question from the State Secretary for the North Sea, the CREG issued an opinion on 29 June 2017 on a draft amendment to the Royal Decree for the awarding of domain concessions for offshore wind farms.<sup>7</sup> The amendment would extend the maximum duration of the domain concessions, among other things. The CREG believes that it is possible to switch to individual renewals of awarded domain concessions, instead of being limited to regulatory action.

For the domain concession awarded to C-Power NV for the Thornton Bank wind farm in the North Sea, the Minister amended, by ministerial decree, the establishment of the provision for the treatment, dismantling and removal of the installations on 17 February 2017. In October 2016, the CREG issued an opinion regarding this amendment (see Annual Report 2016, point 3.1.1.1).

In accordance with Article 13/1 of the Electricity Act, the King may grant the system operator domain concessions for the construction and operation of installations required for the transmission of electricity in the maritime areas under Belgian jurisdiction. The Act authorises the King to lay down the conditions and the procedure for awarding domain concessions, after receiving the opinion of the CREG.

The CREG received two requests for an opinion on the preliminary draft Royal Decree implementing Article 13/1 of the Electricity Act.

It responded by issuing an opinion on 7 July 2016 (see Annual Report 2016, point 3.1.1.2.A) and by issuing an opinion on 7 September 2017.<sup>8</sup>

##### B. Green certificates, certificates of guarantee of origin and guarantees of origin

###### • Applications submitted to the CREG

On 6 July 2017, the CREG approved Nobelwind's application for green certificates for the electricity generated by the 165 MW offshore wind farm. The wind turbines in question meet the conditions for the awarding of green certificates for the net electricity generated from the date on which the respective certificates of guarantee of origin for each wind turbine are signed.<sup>9</sup>

With the decision of 21 September 2017<sup>10</sup> the CREG set the correction factor for the second period (03.10.2017 - 02.10.2018) to determine the minimum price for green certificates issued for the electricity generated by the installations in the Rentel domain concession. It looked at whether there was a difference between the price of electricity in the contract and an average nominal price equal to 90% of the reference price for electricity. Based on this analysis, the CREG set the correction factor to determine the minimum price for green certificates for the electricity generated by the installations in the Rentel domain concession for the period from 3 October 2017 up to and including 2 October 2018.

<sup>6</sup> Opinion (A)1635 on the need to renew the individual generation permit of Dils-Energie NV for the construction of an installation for electricity generation at Dilsen-Stokkem following the exit of the shareholder Siemens Project Ventures GmbH.

<sup>7</sup> Opinion (A)1648 on a draft Royal Decree amending the Royal Decree of 20 December 2000 on the conditions and the procedure for the granting of domain concessions for the construction and operation of facilities for electricity production from water, currents or wind in the marine areas over which Belgium has jurisdiction under international maritime law.

<sup>8</sup> Opinion (A)1699 on a draft Royal Decree on the conditions and the procedure for the granting of domain concessions to the system operator for the construction and operation of installations necessary for the transmission of electricity in the maritime areas over which Belgium has jurisdiction.

<sup>9</sup> Decision (B)1615 on Nobelwind's application for the awarding of green certificates for the electricity generated by wind turbines G01, G02, G03, G04, G05, G06, G07, G08, G09, G10, H01, H02, H03, H04, H05, H06, H07, H08, H09, H10, I01, I02, I03, I04, I05, I06, I07, I08, I09, I10, J01, J02, J03, J04, J05, J06, J07, J08, J09, J10, K01, K02, K03, K04, K05, K06, K07, K08, K09 and K10.

<sup>10</sup> Decision (B)1660 on the establishment of the correction factor for the second period (03.10.2017 - 02.10.2018) to determine the minimum price for green certificates issued for the electricity generated by the installations in the Rentel domain concession.



### 3. The electricity market

Finally, on 30 November 2017, the CREG issued a positive opinion on the request for renewal of the approval of Vinçotte non-profit organisation as an inspection body.<sup>11</sup> The inspection body is responsible for issuing the certificate of guarantee of origin for offshore wind energy generation installations, and for carrying out periodic inspections, at least annually, of conformity of the data included in the guarantee of origin.

#### • Change in installed capacity in generated offshore wind and green energy

The total installed capacity of offshore wind turbines increased by 165 MW, to 878.1 MW in 2017. This increase can be attributed to the completion of the Nobelwind wind farm on the Bligh Bank.

In 2017, all offshore wind farms combined injected 2,367 GWh into the transmission system, representing an increase of 52 GWh compared to 2016.

Net electricity generation (prior to transformation) from all certified offshore wind farms reached 2,864 GWh in 2017, an increase of almost 20% compared to net generation in 2016 (2,388 GWh). This increase is almost entirely due to the commissioning of the Nobelwind wind farm.

Net monthly generation per domain concession holder is shown in figure 2. The average load factor in 2017 (generation divided by installed capacity) varies from the minimum of 22% in April to the maximum of 59% in October.

CREG awards one green certificate per net MWh generated. The green certificates awarded for the net generation in 2017 of the four operational offshore wind farms represent an amount of €294,722,159.

Figure 1: Development of offshore wind power installed capacity per wind farm between April 2009 and December 2017 (Source: CREG)

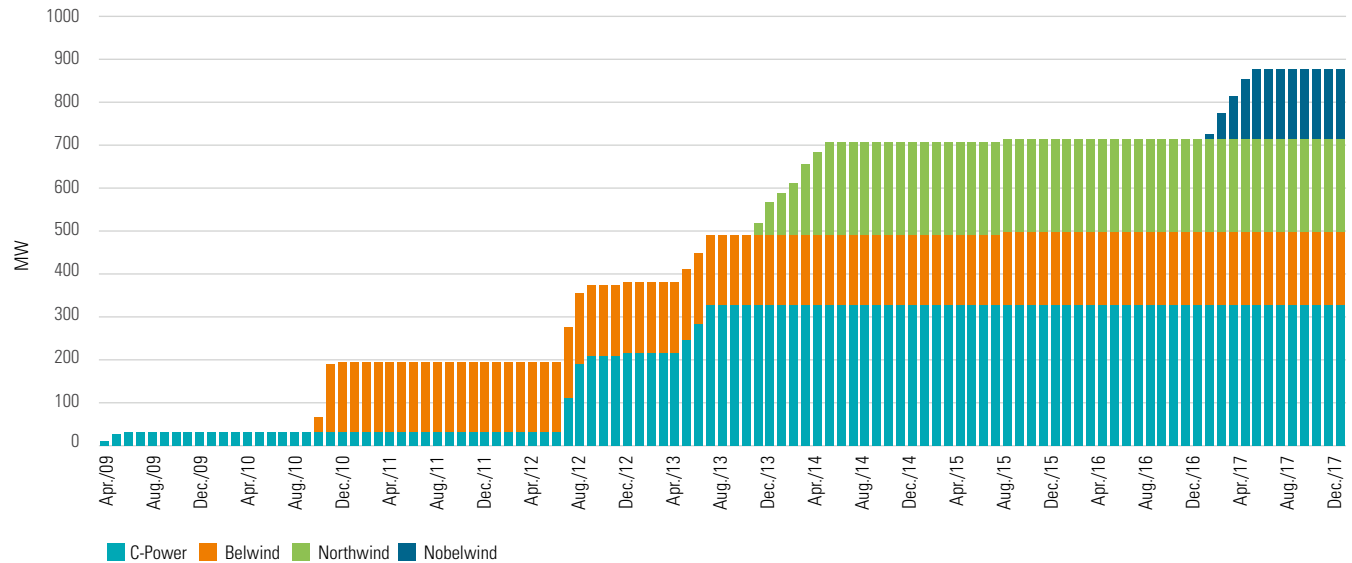
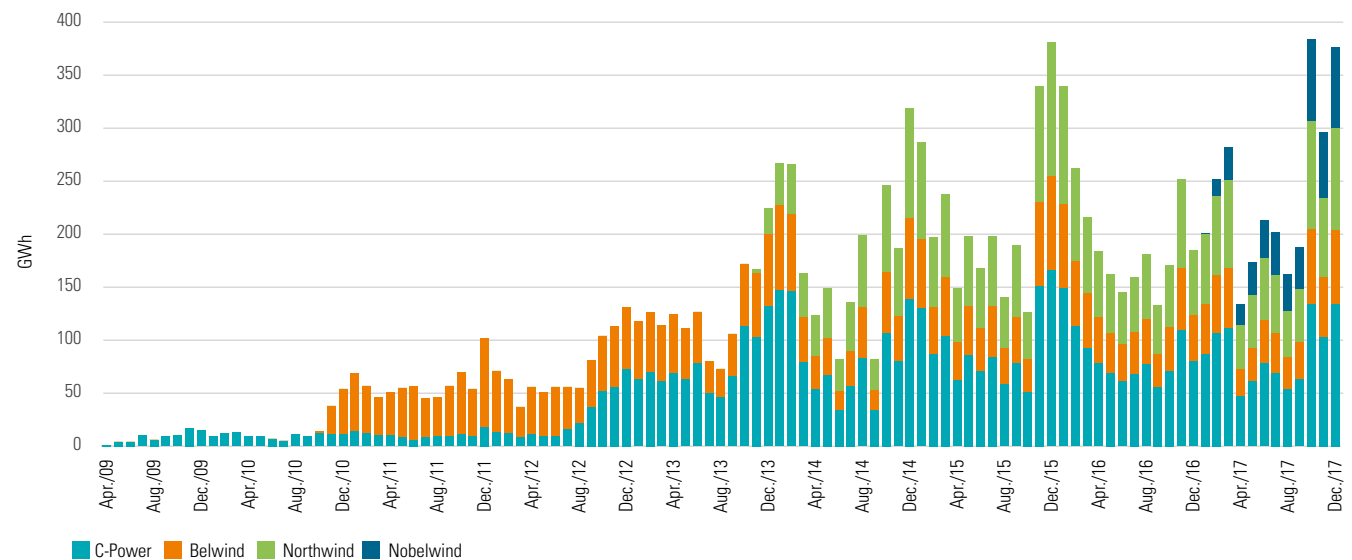


Figure 2: Net production of offshore green electricity per wind farm between April 2009 and December 2017 (Source: CREG)



<sup>11</sup> Opinion (A)1703 on the request of Vinçotte non-profit organisation regarding the renewal of its accreditation as an inspection body.

#### C. Guarantees of Origin

The CREG continued to manage the Guarantees of Origin database in 2017. Via this database producers of offshore wind energy are issued Guarantees of Origin, which allow them to export to other European markets. To this end, CREG has remained an active member of the *Association of Issuing Bodies* (AIB), an association that manages the hub through which most European databases are connected to each other. Specifically, in addition to general meetings and working groups, the CREG participated in an assessment panel and an audit of the Irish domain. The technical follow-up of the systems was also an area of focus.

##### 3.1.1.3. Analysis of support of offshore wind energy

At the request of the Minister for Energy, Environment and Sustainable Development, and in the context of its legal obligations, the CREG analysed the support mechanism for offshore wind energy.<sup>12</sup> In Part I of its study, the CREG describes recent market developments including the tenders from Borssele I+II, Borssele III+IV (offshore wind farms off the coast of the Netherlands), Danish North Sea and Kriegers Flak. In Part II, the CREG converts the results of the Borssele tender III+IV into support for the last three domain concessions, based on objectively verifiable differences between the Netherlands and Belgium.

##### 3.1.1.4. Commissioning the Modular Offshore Grid

On 10 November 2017, the CREG submitted a proposal for a Royal Decree to the Minister for Energy, establishing the final date on which each part of the Modular Offshore Grid must be put into service, as well as the compensation system for the holders of an offshore domain concession in the event of

unavailability of the Modular Offshore Grid (see also point 2.1 of this report).

On 21 December 2017, the CREG also established the principles for the valorisation of the installations to be transferred to the system operator in the context of the Modular Offshore Grid (see point 3.1.3.5 of this report).

#### 3.1.2. Electricity supply

##### 3.1.2.1. Supplying customers connected to the transmission system

The following table shows the market share of Electrabel and other suppliers regarding net electricity supply<sup>13</sup> to major industrial customers connected to the federal transmission system (voltage above 70 kV).

Table 1: Energy offtake by customers connected to the federal transmission system, 2007 to 2017 (Sources: Elia, CREG)

Suppliers		Electrabel NV		Electrabel NV		Total
Access points at	1/01/2017	39		46		85*
	31/12/2017	41		44		81*
Energy offtake (GWh)	2007	12 469	(87.7%)	1 743	(12.3%)	<b>14 211</b>
	2008	11 470	(84.0%)	2 183	(16.0%)	<b>13 654</b>
	2009	10 807	(87.6%)	1 526	(12.4%)	<b>12 333</b>
	2010	12 163	(88.7%)	1 551	(11.3%)	<b>13 714</b>
	2011	11 693	(90.2%)	1 265	(9.8%)	<b>12 958</b>
	2012	8 247	(67.0%)	4 069	(33.0%)	<b>12 316</b>
	2013	7 484	(57.6%)	5 519	(42.4%)	<b>13 004</b>
	2014	8 598	(62.6%)	5 130	(37.4%)	<b>13 728</b>
	2015	6 465	(50.6%)	6 318	(49.4%)	<b>12 783</b>
	2016	4 133	(37.8%)	6 787	(62.2%)	<b>10 920</b>
	<b>2017</b>	<b>4 947</b>	<b>(43.7%)</b>	<b>6 362</b>	<b>(56.3%)</b>	<b>11 309</b>

(\*) Since four access points were simultaneously supplied by two suppliers during 2017, the total number of access points is generally lower by four units than the total number of access points for all suppliers.

<sup>12</sup> Study (F)1568 on the analysis of support for offshore wind energy including the annual report on the effectiveness of the minimum price for offshore wind energy.

<sup>13</sup> These figures do not include energy supplied directly by local generation or customers located in the Grand Duchy of Luxembourg.

In 2017, the CREG submitted eight proposals to the Minister for Energy for the granting of supply licences for electricity to Burgo Energia Srl, Energie I&V België bvba, Total Gas & Power Limited, ArcelorMittal Energy S.C.A., Direct Energie nv, Direct Energie Belgium nv, Société Européenne de Gestion de l'Énergie nv and Powerhouse B.V.<sup>14</sup>

In 2017, the Minister for Energy granted an individual licence for the supply of electricity to Eneco Belgium BV<sup>15</sup> (proposal submitted at the end of 2016), Burgo Energia Srl<sup>16</sup>, Energie I&V België sprl<sup>17</sup>, Total Gas & Power Limited<sup>18</sup>, ArcelorMittal Energy S.C.A.<sup>19</sup>, Direct Energie nv<sup>20</sup>, Direct Energie Belgium nv<sup>21</sup>, Société Européenne de Gestion de l'Énergie nv<sup>22</sup> and Powerhouse BV<sup>23</sup>.

### 3.1.2.2. Price caps

#### • For unprotected customers whose supply contract has been terminated

The maximum prices applicable by the distribution system operators to unprotected customers whose supply contract has been terminated (also termed 'dropped customers') are calculated every six months by the distribution system operators and verified by the CREG. They are calculated as follows: price of energy + transmission + distribution + margin.

The CREG is responsible for monitoring the terms of the margin calculation.

#### • For protected household customers on low incomes or in precarious situations

In accordance with current legislation, the CREG calculated and published the social tariffs and the reference tariffs applicable from 1 February 2017 to 31 July 2017 and from 1 August 2017 to 31 January 2018 for the supply of electricity to protected household customers on low incomes or in precarious situations.

The social price cap (excluding VAT and other taxes) for the supply of electricity for the period from 1 February 2017 to 31 July 2017 was:

- 13.317 euro cents/kWh (0.13317 €/kWh) for the single tariff;
- 13.659 euro cents/kWh (0.13659 €/kWh) for the dual tariff (peak times);
- 10.851 euro cents/kWh (0.10851 €/kWh) for the dual tariff (off-peak times);
- 8.165 euro cents/kWh (0.08165 €/kWh) for the exclusive night-time tariff.

The social price cap (excluding VAT and other taxes) for the supply of electricity for the period from 1 August 2017 to 31 January 2018 was:

- 13.252 euro cents/kWh (0.13252 €/kWh) for the single tariff;
- 13.830 euro cents/kWh (0.13830 €/kWh) for the dual tariff (peak times);
- 10.990 euro cents/kWh (0.10990 €/kWh) for the dual tariff (off-peak times);

- 8.455 euro cents/kWh (0.08455 €/kWh) for the exclusive night-time tariff.

These tariffs are exclusive of the federal contribution, the connection fee (Wallonia) and the contribution to the Energy Fund (Flanders). Other taxes relating to system tariffs (transmission and/or distribution) are included.

The CREG also evaluated the amount necessary to finance the fund for protected electricity customers, which is the basis of calculation of the protected customer component of the federal contribution (see point 5.8.2. of this report). To this end, and as part of protected customer reimbursements, the CREG publishes the 'reference energy' components for electricity and natural gas twice a year for the attention of suppliers and distribution system operators.

#### • Caselaw

In a judgement of 11 January 2017, the Brussels Court of Appeal overturned a negative decision of the CREG concerning Essent Belgium. With the annulled decision, notified on 8 July 2016, the CREG had rejected Essent's claim relating to social tariffs due to lateness (a declaration dated 19 February 2016 relating to the year 2012). The Court of Appeal ruled that the declaration periods contained in the Royal Decrees<sup>24</sup> were unlawful and that Essent's exceedance of the periods could therefore not result in a loss of rights. The reason for the illegality of the expiry dates is the lack of a relevant legal basis in the legislation.

14 Proposals (E)1588, (E)1624, (E)1625, (E)1629, (E)1679, (E)1680, (E)1700, (E)1705.

15 Ministerial Decree of 24 May 2017 (Belgian Official Journal of 7 June 2017).

16 Ministerial Decree of 21 February 2017 (Belgian Official Journal of 6 March 2017).

17 Ministerial Decree of 18 September 2017 (Belgian Official Journal of 22 September 2017).

18 Ministerial Decree of 24 April 2017 (Belgian Official Journal of 8 May 2017).

19 Ministerial Decree of 8 June 2017 (Belgian Official Journal of 27 June 2017).

20 Ministerial Decree of 13 November 2017 (Belgian Official Journal of 24 November 2017).

21 Ministerial Decree of 13 November 2017 (Belgian Official Journal of 24 November 2017).

22 Ministerial Decree of 13 December 2017 (Belgian Official Journal of 8 January 2018).

23 Ministerial Decree of 21 December 2017.

24 Royal Decree amending the Royal Decree of 29 March 2012 establishing the rules for the calculation of the cost of the application of the social tariffs by electricity companies and the rules for the financing thereof, and Royal Decree amending the Royal Decree of 29 March 2012 establishing the rules for the calculation of the cost of the application of the social tariffs by natural gas companies and the rules for the financing thereof.

Essent's claim for payment of a provisional flat rate amount was rejected on the grounds of lack of authority.

#### 3.1.2.3. Trends in and fundamentals of electricity prices

In 2017, the CREG continued its monthly publication of a dashboard informing stakeholders of the important developments in the factors influencing the electricity price.

In the wholesale market, the CREG mainly follows changes in a number of key parameters in the formation of the price of electricity and natural gas in the Belgian and neighbouring stock markets (Germany, France and the Netherlands).

For the retail market, the CREG shows trends of the all-in price of electricity and natural gas in Belgium by region:

- Residential DC electricity customers (3,500 kWh/year, single-rate meter)
- Residential T2 natural gas customers (23,260 kWh/year)
- Social customers
- Dropped customers
- SMEs electricity (50,000 kWh/year, single-rate meter)
- SMEs natural gas (100,000 kWh/year)

The CREG also compares the average all-in price of electricity and natural gas charged in Belgium and the neighbouring countries (Germany, France, the Netherlands and the United Kingdom) to residential DC electricity customers, T2 natural gas customers and SMEs for electricity and natural gas.

Furthermore, every six months the CREG publishes a separate memorandum with the results of the international comparison of energy prices between Belgium and the neighbouring

countries (Germany, France, the Netherlands and the United Kingdom).

The graphs published by the CREG in the framework of this memorandum provide an overview of the various components of the average annual energy bill in the five countries, both for residential customers and for SMEs.

The following are some trends observed in 2017 for electricity:

- At the beginning of 2017 the distribution tariffs and the transmission tariffs were modified.
- In neighbouring countries, no new surcharges were introduced in 2017. The existing system tariffs and surcharges, however, were adjusted, as is the case every year.

#### 3.1.3. Transmission and distribution

##### 3.1.3.1. Unbundling and certification of the transmission system operator

As part of its competence for inspecting compliance with the unbundling requirements by the transmission system operator (TSO), in 2017 the CREG examined the appointments of three new members of the Boards of Directors of Elia System Operator and Elia Asset, namely a new non-independent Director, Mr Rudy Provoost, and two new independent Directors, Mrs Roberte Kesteman and Mr Bernard Gustin (see also point 3.1.3.2).

In addition, the CREG verified the reappointments of five members of the Boards of Elia System Operator and Elia Asset.

The CREG also considered it necessary, in the context of its competence for monitoring continuous compliance with the unbundling requirement, to check the independence of all other directors (both independent and non-independent) as regards the other mandates/functions/activities they exercised at the time.

Finally, the CREG also verified the appointment of a new member of the board of directors of Elia System Operator and Elia Asset, Mr Peter Michiels.

##### 3.1.3.2. Corporate governance

In 2017, the CREG examined the 2016 activity report of the Corporate Governance Committee of Elia System Operator and Elia Asset in the context of monitoring the application of Articles 9 and 9ter of the Electricity Act and the evaluation of its effectiveness in relation to the objectives of independence and impartiality of the transmission system operator.

The CREG also examined the report of the compliance officer on compliance with the programme of commitments by Elia System Operator and Elia Asset employees in 2016. The purpose of this programme of commitments is to prevent any discrimination between system users and/or categories of system users.

Through its binding opinions of 29 June and 21 December 2017, the CREG concluded that Mrs Jane Murphy<sup>25</sup>, Mrs Roberte Kesteman<sup>26</sup> and Mr Bernard Gustin<sup>27</sup> satisfied the notion of 'independent director' with regards to their (new or renewed) mandates on the boards of directors of Elia System Operator and Elia Asset.

25 Opinion (A)1647 on the independence of Mrs Jane Murphy as an independent Director on the boards of directors of Elia System Operator NV and Elia Asset NV.

26 Opinion (A)1714 on the independence of Mrs Roberte Kesteman as an independent director on the boards of directors of Elia System Operator NV and Elia Asset NV.

27 Opinion (A)1643 on the independence of Mr Bernard Gustin as an independent director on the boards of directors of Elia System Operator NV and Elia Asset NV.

The CREG also considered it necessary, in the context of its competence for monitoring continuous compliance with the Electricity Act, to check the independence of the other independent directors, as regards the other mandates/functions/activities they exercised at the time (see also point 3.1.3.1).

Finally, in its binding opinions of October 2017<sup>28</sup>, the CREG did not find any objections to the renewal of the mandates of the statutory auditors of Elia System Operator and Elia Asset, namely Ernst & Young Bedrijfsrevisoren, represented by Mr. Patrick Rottiers, and Klynveld Peat Marwick Goerdeler Bedrijfsrevisoren, represented by Mr. Alexis Palm.

#### 3.1.3.3. Closed industrial networks and the traction power network

On the proposal of the Directorate-General of Energy, and after receiving the opinion from the CREG and the system operator, the Minister for Energy may confer the title of closed industrial network operator, for the part operated at a rated voltage exceeding 70kV, to a natural or legal person owning a network or having right of use thereof and who has requested that title in accordance with the Electricity Act. Under the same procedure, the Minister may recognise the network as a closed industrial network provided that the regions involved have an opportunity to issue an opinion within sixty days.

The Minister for Energy also confers the status of manager of the traction power network to the person who owns or has a right to use the network in question, on a proposal from the General Directorate for Energy, after consulting the CREG and

the system operator and after giving the regions concerned the opportunity to issue an opinion within a period of sixty days.

In this context, the CREG issued an opinion in 2017 on Infrabel NV's application for the status of manager of the traction power network.<sup>29</sup>

Many of the provisions in the Electricity Act relating to a closed industrial network also apply to the traction power network, to the extent that the Law of 4 December 2006 on the use of railway infrastructure (since replaced by the Law of 30 August 2013 on the Rail Codex) does not provide for any other regulation.

#### 3.1.3.4. Technical operation

##### A. Connection and access

##### • Access contracts and Access Responsible Party contracts

On 20 January 2017, the CREG received an application for approval to amend the general terms and conditions of the Access Responsible Party contract (ARP contract) of Elia System Operator.

The proposed amendments to the ARP contract mainly pertained to the introduction of the free bidding service for the tertiary reserve of energy by non-CIPU technical units (*BidLadder* project), an explanation of the terms CCP and shipping agent, the repeal of Article 7, §3 of the Electricity Act, the reorganisation of the products of the contractual R3 and specific characteristics of the R2 non-CIPU pilot project.

On 16 February 2017, the CREG decided<sup>30</sup> to approve the proposed amendments to the ARP contract. A number of requests and suggestions were added to the approval.

##### • Derogations to the provisions of the European network codes RfG, DCC and HVDC

Three European regulations adopted in 2016 establish network codes with conditions for connection to the electricity grid (network codes RfG, DCC and HVDC). In applying these Regulations, the competent regulatory authority may, at the request of given interested parties, grant derogations from one or more of the provisions of these Regulations.

On 20 April 2017, following a public consultation which concluded on 20 February 2017, the CREG took its decision to establish the criteria for granting such derogations.<sup>31</sup>

The criteria for granting derogations from provisions of the network codes RfG, DCC and HVDC were established through cooperation between the four regulators (CREG, CWaPE, VREG and BRUGEL).

##### B. Ancillary and balancing services

##### • Reserve capacity

Elia must evaluate and determine the primary, secondary and tertiary reserve capacity that contributes to ensuring the security, reliability and efficacy of the transmission system in the control area. To this end, Elia must send its assessment methodology and its result to the CREG for approval.

28 Opinion (A)1671 on the renewal of the mandate of Ernst & Young Bedrijfsrevisoren, represented by Mr Patrick Rottiers, with Elia System Operator NV and Elia Asset NV, and Opinion (A)1672 on the renewal of the mandate of Klynveld Peat Marwick Goerdeler Bedrijfsrevisoren, represented by Mr Alexis Palm, with Elia System Operator NV and Elia Asset NV.

29 Opinion (A)1659 on Infrabel NV's application for the status of manager of the traction power network.

30 Decision (B)1610 on the amendments to the general conditions of the ARP contract proposed by the network manager.

31 Decision (B)1602 to establish the criteria for granting derogations from the provisions of network codes RfG, DCC and/or HVDC.

In April 2017, Elia submitted a proposal on the request for approval of the method of evaluation and determination of the primary, secondary and tertiary reserve capacity for 2018. This relates to the updating of the data used in the analyses, the carrying out of preliminary analyses on the possible impact of the IGCC 'netting' process in determining secondary and tertiary reserve capacity, the absence - for 2018 - of the need for a reserve charged to one ARP, the start of additional analyses to determine all elements which influence the observed improvement in the quality of the ACE in 2016, and the end of the 'ICH' product. Following public consultation with the market players, the CREG approved Elia's proposal<sup>32</sup>.

#### • Price bids and volumes for ancillary services

To ensure the safety, reliability and efficiency of the transmission network, Elia needs to have access to a certain volume of ancillary services at its disposal, on a permanent basis. The modalities in this respect are specified in the technical regulations of 19 December 2002 on the management of the transmission network and access to it.

Encouraged by the CREG, Elia has made significant efforts in recent years to develop the ancillary services market, especially to reduce the prices of reserve capacity, for example by organising weekly auctions (R1 and R2) and monthly auctions, and enabling more market participants to participate in auction procedures. Finally, since 1 August 2016, Elia has contracted part of the primary adjustment capacities via a regional auction platform that is also accessible in Germany, Austria, the Netherlands, France and Switzerland.

It was evident once again that it is difficult to purchase certain services for the necessary volumes and at reasonable prices. As such, in accordance with Article 12quinquies of the Electricity Act, Royal Decrees imposing price and volume conditions needed to be enacted to ensure the provision of the 'black start service' and the voltage and reactive energy control services.

Furthermore, in order to keep increases in the costs of ancillary services at a reasonable level, the Electricity Act requires Elia to submit annual reports to the CREG on proposed prices for the supply of ancillary services. The CREG then gives an indication of whether the proposed prices are manifestly unreasonable, and will justify its opinion.

In 2017, the CREG received Elia reports for tertiary control services, voltage and reactive capacity, as well as for the "black start". In its own reports<sup>33</sup>, the CREG established that the prices of certain selected offers were manifestly unreasonable. Accordingly, the Minister for Energy produced draft Royal Decrees to impose price and volume conditions on the producers involved. The CREG issued opinions<sup>34</sup> on these projects.

Based on assumptions about the availability and use to be made of ancillary services in 2017, the cost difference between selections of offers made by Elia and the final selections, adapted following the above-mentioned Royal Decrees, reached an amount of about €8 million.

The primary and secondary control services are subject to monthly reports produced by Elia. The CREG found that the costs of these reserves, at a constant volume, were relatively

stable (-1.1%). In 2017, the only change for the acquisition of reserves was the transition to monthly auctions for the entire tertiary adjustment capacity, excluding the product R3 ICH. The unit cost of the entire tertiary adjustment capacity fell by 3.5% compared with 2016.

Finally, the CREG issued two opinions on 16 October 2017 on two draft Royal Decrees imposing a public service obligation to cover the volume and price of the black start service from 1 November 2017 to 31 October 2019.

#### • Balancing

The TSO is responsible for monitoring, maintaining and, if need be, re-establishing the balance between supply and demand for electrical power in the control area, inter alia as a result of possible individual imbalances caused by the various Access Responsible Parties. Elia is required to submit a proposal for the market operating rules for offsetting 15-minute imbalances to the CREG for approval.

In December 2016, Elia submitted a proposal for amendment to the market's operating rules regarding the offsetting of 15-minute imbalances.

The proposed evolutions related to adapting the definition of the reference price of the Belgian day-ahead market, the opening of the primary reserve market to new technologies, and the opening of the non-reserved tertiary adjustment capacity to the non-CIPU technical units. These adaptations were proposed for partial entry into force on 1 May 2017 and

<sup>32</sup> Decision (B)1631 on the request for approval of the method of evaluation and determination of the primary, secondary and tertiary reserve capacity for 2018.

<sup>33</sup> Report (RA)1682 on whether or not the prices offered to Elia System Operator NV for the provision of the voltage control service in 2018 were manifestly unreasonable; Report (RA)1612 on whether or not the prices offered to Elia System Operator NV for the provision of the black start service for the period from 1 November 2017 to 31 December 2020 were manifestly unreasonable.

<sup>34</sup> Opinion (A)1708 on a draft Royal Decree imposing a public service obligation on EDF Luminus NV to cover the volume and price of the voltage and reactive capacity control service from 1 January 2018 to 31 December 2018; Opinion (A)1709 on the draft Royal Decree imposing a public service obligation on Electrabel NV to cover the volume and price of the voltage and reactive capacity control service from 1 January 2018 to 31 December 2018; Opinion (A)1710 on a draft Royal Decree imposing a public service obligation on RWE Supply & Trading GmbH to cover the volume and price of the voltage and reactive capacity control service from 1 January 2018 to 31 December 2018.

full entry into force on 1 July 2017. With this final decision of 30 March 2017, and following public consultation with the market players, the CREG approved Elia's proposal<sup>35</sup>.

In May 2017, Elia submitted another proposal for an amendment to the market's operating rules regarding the offsetting of 15-minute imbalances. This related to the addition of general conditions for participation in the control of the balance of the Belgian control area, the introduction of two transitional periods for the primary reserve and the addition of clarifications concerning the monitoring of the activation of the primary reserve. Following public consultation with the market players, the CREG approved Elia's proposal<sup>36</sup>.

In July 2017, Elia also submitted a new proposal relating to the adaptation of these rules. The proposed evolutions related to eliminating the product tertiary adjustment capacity through interruptible offtake, the generalisation of the secondary market for the primary, secondary and tertiary contracted reserve products, the conditions concerning the bids for the activation of the tertiary adjustment capacity standard and flex reserved via non-CIPU technical units, and clarifications concerning the activation of the tertiary reserve standard and flex. Following consultation with the market players, the CREG approved Elia's proposal<sup>37</sup>. The new rules have been applicable since 1 January 2018.

#### • Valorisation of the production reserves necessary for the security of the system

In May 2016, the CREG published an initial memorandum on the applicability of the Operating Reserve Demand Curves (ORDC) method on the Belgian electricity market. This method valorises the production reserves necessary for the security of the system based on a surcharge for the imbalance tariff. This surcharge is based on the scarcity of the production resources and on the price consumers are willing to pay in order not to suffer power cuts.

On 30 November 2017, the CREG published a new memorandum<sup>38</sup> on the extension of the first study carried out by the Center for Operations Research and Econometrics (CORE) of the Université Catholique de Louvain. This extension related in particular to the impact of the recommissioning of two nuclear power plants in 2016, to the price consumers are willing to pay in order not to suffer power cuts, and to the strategic reserve.

#### • Volumes activated and concentration of bids

In 2017, activations to compensate for imbalances in control areas amounted to 1,091 GWh, 3.7% more than in 2016. The proportion of secondary reserves in these activations reached 46.2% in 2017, compared with 46.1% in 2016 and 57.4% in 2015. This stabilisation is mainly due to the stabilisation of the offsetting of the imbalances in the context of the IGCC, which amounted to 427 GWh in 2017 and 428 GWh in 2016.

In 2017 there was an upward activation of 3,050 MWh and a downwards activation of 2,950 MWh of reserves located

abroad by the transmission system operators, while these activations amounted to 0 and 200 MWh respectively in 2016.<sup>39</sup>

The HHI index relating to secondary and tertiary reserves offered at the generating plants amounted to 3,896 in 2017, compared to 4,107 in 2016 and 4,299 in 2015. Activations relating to these resources account for 99.8% of the total power which was activated in 2017 to offset imbalances in the control area (excl. IGCC). In 2015, this percentage was just as high, and in 2014 it was 99.9%. The decrease in the HHI rate is explained by the decrease in the relative participation of ENGIE Electrabel on the market for production reserves, mainly offset by the increase in the relative share of EDF Luminus, combined with the increase, although to a lesser extent, in the share of other small-scale producers.

#### • Price of offsetting individual imbalances

The imbalance tariff is based on the principle of a single marginal price and takes account of the imbalance of the Access Responsible Party and the direction of the imbalance in the control area.

Table 2 on the following page provides an overview of the trend in the average tariff (unweighted) for positive imbalances (injection > offtake) and for negative imbalances (injection < offtake) of the access-responsible parties for the period 2007-2017.

Using Figure 3 below this table, these average prices can be compared to the trend in average prices on the Belpex day-ahead market over the same period.

35 Decision (B)1605 on the proposal of Elia System Operator NV on the adaptation of the operating rules of the market in relation to offsetting quarter hourly imbalances – Partial entry into force on 1 May 2017 and full entry into force on 1 July 2017.

36 Decision (B)1632 on the proposal by Elia System Operator NV on the adaptation of the operating rules of the market in relation to offsetting quarter hourly imbalances. Entry into force following decision (B)xxxx of the CREG of xx/xx/2017. 37 Decision (B)1658 on the proposal by Elia System Operator NV on the adaptation of the operating rules of the market for the offsetting of quarter hourly imbalances - Entry into force on 01/01/2018.

38 Memorandum (Z)1707 on a comprehensive analysis of the compensation of capacity in periods of scarcity.

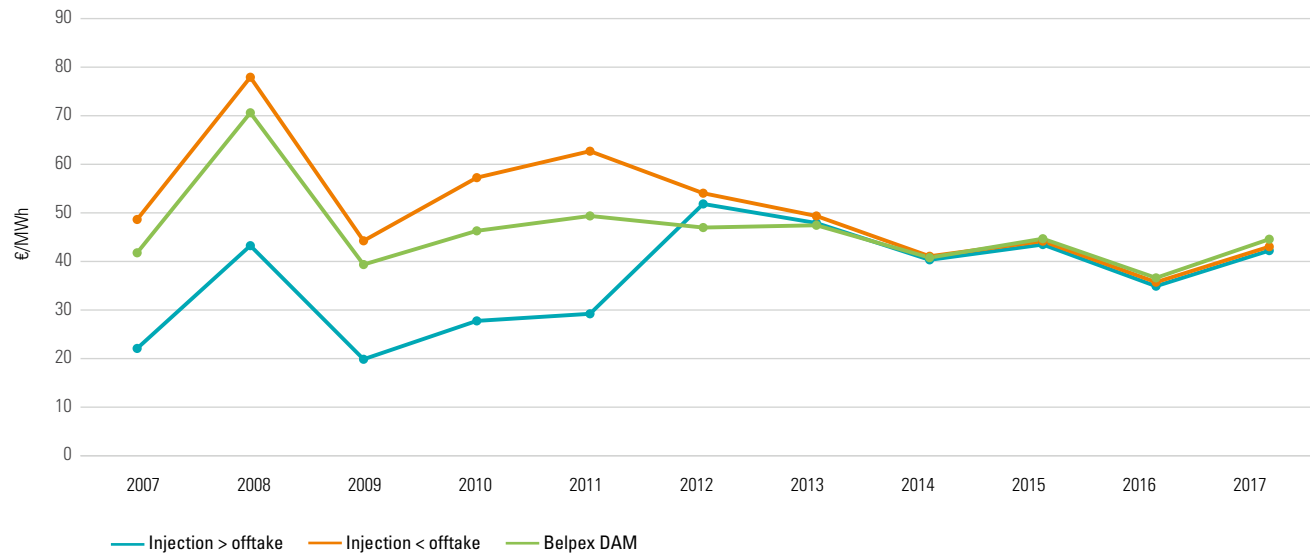
39 Source: Elia data.

### 3. The electricity market

Table 2: Average unweighted imbalance tariff during the period 2007-2017 (Source: Elia data)

€/MWh	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Injection > offtake	22.09	43.24	19.86	27.76	29.22	51.84	47.91	40.33	43.48	34.91	<b>42.23</b>
Injection < offtake	48.64	77.92	44.25	57.24	62.70	54.05	49.36	41.07	44.18	35.73	<b>43.04</b>

Figure 3: Average unweighted imbalance tariff and Belpex DAM price during the period 2007-2017 (Sources: Elia and Belpex/Epex Spot data)



#### C. Rules on system security and reliability and standards for quality of service and supply

In 2017, the CREG took various initiatives concerning the security and reliability of the electricity grid. Among other things, the CREG followed up the tests carried out by Elia and the suppliers of the ancillary black start service.

Together with the Energy Directorate of the FPS for the Economy, SMEs, Self-Employed and Energy, and Elia, it also considered possible avenues for the development of procedures for purchasing resources for black start ancillary services and the regulation of the voltage.

#### D. Time taken by the transmission system operator to carry out connections and repairs

In 2017 the AIT (*Average Interruption Time*) on the federal transmission system was 0 minutes 44 seconds (compared to 3 minutes 33 seconds in 2016) and the AID (*Average Interruption Duration*) was 8 minutes 13 seconds (compared to 20 minutes 56 seconds in 2016).

There were 42 incidents on the transmission system in 2017 (56 in 2016). As the system is configured as a grid, such incidents do not usually result in customer supply interruptions. In 71% of cases, automatic reconnection was attempted. These attempts were successful in 77% of cases on the 380 kV and 220 kV systems, and in 53% of cases on the 150 kV network.

In four cases, a connection to the federal transmission system was unavailable for more than 24 hours. The period of unavailability for these connections was between 26 hours and 962 hours.

Based on these indicators, the availability of the transmission system was further improved in 2017.



### 3.1.3.5. System tariffs

#### A. The transmission system

##### a) Tariff methodology

As detailed in its Annual Report of 2014, the CREG adopted on 18 December 2014 its tariff methodology which serves as the basis for the approval of tariffs for the management of the electricity transmission network and electricity grids with a transmission function<sup>40</sup>, for application during the regulatory period 2016-2019.

On 29 June 2017, the CREG established the objectives to be achieved by Elia in 2018 in the context of the incentive subject to the CREG's decision, as referred to in the tariff methodology 2016-2019, in particular to promote adequacy between supply and demand.<sup>41</sup>

On 21 December 2017, the CREG also established the objectives to be achieved by Elia in 2018 as part of the stimulus referred to in the tariff methodology 2016-2019, to encourage market integration by means of a measured increase in the interconnection capacity made available to the market in the Belgian control area.<sup>42</sup>

Finally, on 21 December 2017, the CREG established the principles for the valorisation of the installations to be transferred to the system operator in the context of the Modular Offshore Grid.<sup>43</sup>

##### b) Tariff trends

As detailed in the Annual Report 2015, on 3 December 2015 the CREG approved Elia's tariff proposal for the regulatory period 2016-2019.

On 23 February 2017, the CREG<sup>44</sup> approved the increase requested by Elia, as from 1 October 2017, of the first term of the tariff for the public service obligation for the financing of support measures for renewable energy in Wallonia to €23.5394/MWh, on condition that the designation of the persons in charge of the timing operation and the maximum number of green certificates that these persons needed to acquire were published in the Belgian Official Journal before 1 October 2017. If the Walloon Government approved these two acts before 1 October 2017, the above-mentioned increase would not enter into force and the tariff for the public service obligation for financing support measures for renewable energy in Wallonia would remain at the level of 2016, i.e. €13,8159/MWh.

At its meeting of 28 September 2017, the management committee of the CREG adopted the publications of the decree of 29 June 2017 designating the persons responsible for the timing operation (Belgian Official Journal of 4 August 2017) and the decree of the Walloon Government of 31 August 2017 on the maximum number of green energy certificates (Belgian Official Journal of 25 September 2017).<sup>45</sup>

As a result, the first term of the tariff for the public service obligation for the financing of support measures for renewable energy sources in Wallonia remains at its current level.

On 16 November 2017, the CREG approved the amendments to certain tariffs for public service obligations and surcharges proposed by transmission system operator Elia.<sup>46</sup>

In its decision of 14 December 2017<sup>47</sup>, the CREG approved Elia's proposal regarding the tariff for the financing of the strategic reserve in force on 1 January 2018.

The trend in the tariff burden (not including connection, PSO tariffs and surcharges) for users of the transmission system is illustrated in the table on the following page.

40 The concept of 'grids with a transmission function' refers, on the one hand, to the transmission system and, on the other hand, to distribution systems or local or regional transmission systems with a voltage level between 30kV and 70kV, which are used primarily for the transmission of energy to non-residential customers and other networks in Belgium, and the interaction between power generation facilities and electrical networks that have a transmission function.

41 Decision (B)658E/45 on the objectives to be achieved by Elia System Operator NV in 2018 as part of the stimulus left to the discretion of the CREG as referred to in article 27 of the tariff methodology.

42 Decision (B)658E/46 on the objectives to be achieved by Elia in 2018 as part of the stimulus for market integration referred to in Article 24, §1, 2 and 3 of the tariff methodology.

43 Decision (B)1695 on the principles for the valorisation of the installations transferred to the system operator in the context of the Modular Offshore Grid.

44 Decision (B)658E/43 concerning the part of the adapted updated tariff proposal submitted by Elia System Operator NV concerning the tariff for public service obligations for the financing of support measures for renewable energy in Wallonia.

45 On 12 January 2017, at the request of the Walloon Minister for Local Government, Urban Policy, Housing and Energy, the CREG issued an opinion on the preliminary draft decree amending the decree of 12 April 2001 on the organisation of the regional electricity market (Opinion (A)1604) to introduce a timing operation for green certificates, with the main objective of reducing the impact of a surplus of green certificates on the surcharge for green certificates of the local transmission system operator, Elia, and therefore also on the Walloon end consumer.

46 Decision (B)658E/47 on the adapted updated tariff proposal submitted by Elia System Operator NV concerning the tariff for public service obligations and certain levies and surcharges, applicable from 1 January 2018.

47 Decision (B)658E/48 on the request for approval of the updated tariff proposal for the application from 1 January 2018 of the tariffs for the financing of the public service obligations of the Strategic Reserve, submitted by Elia System Operator NV.

### 3. The electricity market

Table 3: Trends in the tariff burden (not including connection, PSO tariffs and surcharges and VAT) for users of the transmission system during the period 2013-2019 (Source: CREG)

COST OF NETWORK (USE AND ANCILLARY SERVICES) Standard customers (in €/MWh)	Tariffs 2013 (1)	Tariffs 2014-2015 (2)	Tariffs 2016 (3)	Tariffs 2017 (4)	Tariffs 2018 (5)	Tariffs 2019 (6)	Average tariffs 2016-2019 (7)	2016-2019 compared to 2014-2015 (8) = (7)/(2)%
By CREG decision of	658E/26 16/05/2013	658E/26 16/05/2013	658E/36 3/12/2015	658E/36 3/12/2015	658E/36 3/12/2015	658E/36 3/12/2015		
<b>STANDARD CUSTOMER ON 150-220-380 kV NETWORK (45 MVA; 30 MW/year; 35 MW/month; 155 GWh)</b>								
NETWORK USE	n.a.	n.a.	3.5643	3.4807	3.5120	3.6228	3.5450	
CAPACITY RESERVES AND BLACK START	n.a.	n.a.	0.9165	1.1189	1.3710	1.5626	1.2423	
MARKET INTEGRATION	n.a.	n.a.	0.3492	0.3604	0.3870	0.3946	0.3728	
<b>TOTAL</b>	<b>4.8400</b>	<b>5.4200</b>	<b>4.8300</b>	<b>4.9600</b>	<b>5.2700</b>	<b>5.5800</b>	<b>5.1600</b>	<b>95%</b>
<b>STANDARD CUSTOMER ON 70-36-30 kV NETWORK (12 MVA; 6 MW/year; 7 MW/month; 32 GWh)</b>								
NETWORK USE	n.a.	n.a.	6.6343	6.5607	6.5420	6.7028	6.6100	
CAPACITY RESERVES AND BLACK START	n.a.	n.a.	0.9165	1.1189	1.3710	1.5626	1.2423	
MARKET INTEGRATION	n.a.	n.a.	0.3492	0.3604	0.3870	0.3946	0.3728	
<b>TOTAL</b>	<b>7,9000</b>	<b>9,0050</b>	<b>7,9000</b>	<b>8,0400</b>	<b>8,3000</b>	<b>8,6600</b>	<b>8,2250</b>	<b>91%</b>
<b>STANDARD CUSTOMER TRANSFORMATION TO AVERAGE VOLTAGE (50 MVA; 20 MW/year; 17 MW/month; 90 GWh)</b>								
NETWORK USE	n.a.	n.a.	10.1343	10.0707	9.9620	10.0828	10.0625	
CAPACITY RESERVES AND BLACK START	n.a.	n.a.	0.9165	1.1189	1.3710	1.5626	1.2423	
MARKET INTEGRATION	n.a.	n.a.	0.3492	0.3604	0.3870	0.3946	0.3728	
<b>TOTAL</b>	<b>9.9900</b>	<b>11.4000</b>	<b>11.4000</b>	<b>11.5500</b>	<b>11.7200</b>	<b>12.0400</b>	<b>11.6775</b>	<b>102%</b>
Injection tariff Capacity reserves and black start	0.9111	0.9111	0.9644	0.9644	0.9644	0.9644	0.9644	106%

#### • Offshore surcharge

Pursuant to Article 14sexies of the Royal Decree of 16 July 2002 on the establishment of mechanisms for the promotion of electricity produced from renewable energy sources, a Ministerial Decree of 15 December 2017 (Belgian Official Journal of 22 December 2017), at the CREG's proposal<sup>48</sup>, set the value of the offshore surcharge (or the 'Tariff for public service obligations for the financing of federal green energy certificates') for 2018 at €5.1601/MWh. This amount represents an increase of 18% in the offshore surcharge compared to 2017.

This increase is due to the full availability of the Nobelwind wind farm (unlike 2017) and the commissioning of the Rentel wind farm.

#### c) Balances

The tariff methodology for electricity transmission stipulates that Elia must submit an annual tariff report for the previous year to the CREG for approval.

In its analysis, the CREG identified cross-subsidisation between regulated and non-regulated activities, which prompted it to reject Elia's adjusted tariff report for the 2016 operating year on 13 July 2017.<sup>49</sup> In such cases, the CREG itself determines the regulatory operating balance.

As specified by the tariff methodology, the accumulated regulatory balance is carried forward to the tariff calculation of the next regulatory period (2020-2023). The 2016 balance to be carried forward to the future tariffs is €131,613,719.

<sup>48</sup> Proposal (C)1686 on the calculation of the surcharge for offsetting the real net cost of the system for the operator resulting from the obligation to purchase and sell green certificates in 2018.

<sup>49</sup> Decision (B)658E/44 on the request to approve the adapted tariff report including the balances submitted by Elia System Operator for financial year 2016.

## B. Distribution systems

Although following the sixth State reform jurisdiction in electricity and natural gas distribution system tariffs was transferred to the regions, (see Annual Report 2014, section 2.1), the CREG continues to analyse the distribution tariffs in its annual study on electricity and natural gas price components (see also section 3.2.1.1 of this report).<sup>50</sup>

### Household customer

Electricity (DC with dual meter): in the period 2007-2016 the average distribution system tariff increased by €227.89/period (+152.71%) in Flanders, by €65.73/period (+43.17%) in Wallonia and by €53.84/period (+38.14%) in Brussels. This is partly due to the higher costs of public service obligations, energy costs to offset network losses and the introduction of multi-year tariffs. Since August 2015, the impact of the application of corporate tax on network activities of distribution system operators has also been felt in Flanders.

Natural gas (T2): in the period 2007-2016, the distribution system tariff increased by €41.19/period (+17.53%) in Flanders, by €170.37/period (+69.70%) in Wallonia and by €39.13/period (+15.09%) in Brussels. This is due to shortfalls of past years being carried forward, the increased costs for public service obligations and the introduction of multi-year tariffs. Since August 2015, the impact of the application of corporate tax on network activities of distribution system operators has also been felt in Flanders.

### Professional customer

Electricity (Ic1): in the period 2007-2016 the average distribution system tariff increased by €2,159.76/period (+60.14%) in Flanders, by €1,641.58/period (+39.11%) in Wallonia, and declined by €294.85/period (5.44%) in Brussels. This is partly due to the higher costs of public service obligations, energy costs to offset network losses and the introduction of multi-year tariffs. Since August 2015, the impact of the application of corporate tax on network activities of distribution system operators has also been felt in Flanders.

Natural gas (T4): however, in the period 2007-2016, the increase in the distribution system tariff (+ €542.58/period in Flanders (+9.69%), + €3,952.36/period in Wallonia (+67.35%) and + €2,316.62/period in Brussels (+36.91%)) is smaller, since the costs of public service obligations are mainly passed on to household consumers, as they are also more applicable to the latter group.

## 3.1.4. Cross-border issues

### 3.1.4.1. Access to cross-border infrastructure

The annual figures for import and export in 2017 are almost identical to those for 2016. Gross imports to Belgium were 11.4 TWh and gross exports were 4.9 TWh. In 2016, this was 11.8 TWh and 5.2 TWh respectively. The result is a net import of 6.5 TWh in 2017, almost identical to the 6.6 TWh recorded in 2016. In 2016 and 2017, Belgium therefore imported considerably less than in the previous four years.

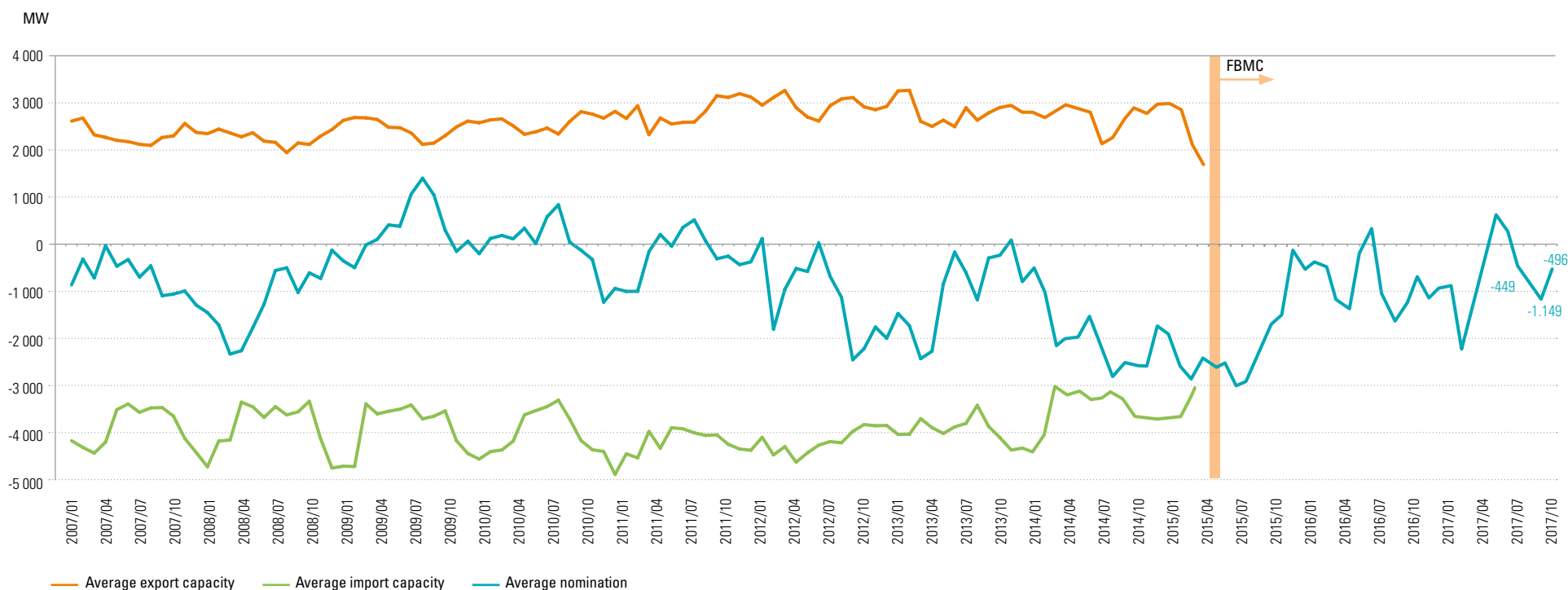
Net Belgian imports amounted to 9.5 TWh in 2012 and increased to 21.0 TWh in 2015.

The figure on the following page shows the trends in the monthly average import and export capacity made available to the daily market, and their total net use. This figure shows that the monthly averages for net exports in 2017 are in line with those in 2016. It should also be noted that since May 2015, there are no existing values for the available interconnection capacity for imports and exports. On 20 May 2015, in the Central-West-European (CWE) region, consisting of the borders of the bidding zones Belgium, Netherlands, France and Germany/Luxembourg/Austria, the Available Transmission Capacity (ATC) method for calculating and allocating interconnection capacity was replaced by Flow Based Market Coupling (FBMC). With the ATC method, as a first step, the available interconnection capacity for imports and exports was calculated by the transmission system operators. After that, a certain portion of this capacity was used ('nominated') by the market. With FBMC, the calculation and allocation (nomination) of the interconnection capacity takes place in the same step, via optimisation. This optimisation combines the information about the transmission system, supplied by the various CWE TSOs, with the demand curves offered in the different CWE bidding zones, supplied by the market players. As such, as there is no prior calculation of available capacity for imports and exports, from May 2015 we only have the interconnection capacity actually allocated and used.

<sup>50</sup> Study (F)1616 on electricity and natural gas price components.

### 3. The electricity market

Figure 4: Availability and use of interconnection capacity from 2007 to 2017 (Source: CREG)



The table on the next page shows the same information, expressed in annual averages. The average net import<sup>51</sup> in 2017 was 744 MW, almost identical to the average import of 732 MW in 2016. 2017 therefore confirms the turnaround that took place in 2016 compared to the previous five years, in which average annual net imports continued to rise to a maximum of 2379 MW in 2015.

There are no separate figures on available import and export capacity from the introduction of FBMC onwards.

The main reason for this turnaround in the Belgian import position, which started in 2016, is the recommissioning on 14 and 20 December 2015 of Tihange 2 and Doel 3, which had not been in operation since 25 March 2014.

However, the recommissioning of the nuclear power plants is not the only reason for the observed reduction in import volumes. Network restrictions imposed by CWE transmission network operators also hampered the flows exchanged in the CWE region. This can be inferred, inter alia, from the fact that, despite the relatively high price differences within the CWE region, the flows exchanged between the CWE bidding zones remained relatively limited.

<sup>51</sup> By convention, the CREG uses a negative value for imports and a positive value for exports. As such, a drop in average net imports must be interpreted as a rise in net exports or a drop in the negative value of net exports in the table.

Table 4: Average export and import capacity and average nomination per year (MW) (Sources: Elia data, CREG calculations)

Year	Average export capacity	Average import capacity	Net average export nomination
2007	2 317	-3 908	-711
2008	2 242	-3 882	-1 212
2009	2 460	-3 877	316
2010	2 558	-4 023	23
2011	2 791	-4 250	-253
2012	2 971	-4 245	-1 050
2013	2 821	-3 933	-1 109
2014	2 697	-3 562	-1 910
2015	3 213	-3 492	-2 379
2016	-	-	-732
<b>2017</b>	-	-	<b>-744</b>
<b>Average</b>	-	-	<b>-898</b>

In January 2017, France and Belgium together were able to import only 3,427 MW despite an average price difference with Germany and the Netherlands of €31.1/MWh. As a result, an explanation of the limited volumes exchanged must be found at the system level. In fact, a price difference between two zones within the CWE region indicates congestion on a system element. Without such congestion, more energy could have been exchanged until a price balance (price convergence) between both zones was achieved.

Since the introduction of FBMC in May 2015, for each hour when there was no price convergence, it is possible to verify on which line or critical branch critical outage (CBCO) the congestion occurred. This information is available from the website of the Joint Allocation Office (JAO) and specifically the Implicit Allocation Utility Tool. The data analysis carried out for 2016 showed that a significant proportion of congestion

was located on internal transmission lines where hardly any capacity was available for cross-border trade.

This observation remained the same in 2017. The commercially available capacity on the restrictive CBCOs or Remaining Available Margin (RAM) was on average only 30% of the thermal line capacity. The RAM values take into account the N-1 criteria for network safety. Due to this low commercial capacity on the CBCOs, long-term rights through the concept of LTA inclusion have, as in 2016, played a crucial role in ensuring a minimum import volume for Belgium during the winter months.

Figure 5 on the next page shows the distribution of the location of the limiting CBCO by bidding zone (blue). This indicates in how many cases the RAM on the limiting CBCO is less than 40% and 20% respectively of the thermal line capacity. This figure shows that especially the lines in the bidding zone

Germany/Luxembourg/Austria made little RAM available, thereby restricting CWE cross-border trade. The lines in the Belgian bidding zone had a higher RAM on average when they restricted cross-border trade.

Lines with a low RAM can already block cross-border trade at very low volumes. A low RAM is the result of reserving line capacity for other purposes, including (1) commercial exchanges internally in the bidding zone, (2) loop flows resulting from commercial exchanges within another bidding zone, and/or (3) high margins of uncertainty. The current selection method of critical network elements in the CWE FBMC methodology allows low RAM internal lines to block cross-border trade. As indicated in final decision 1410 of the CREG, this is not in line with the regulations on the single market for electricity (see Annual Report 2015, point 5.9.8). Indeed, it does not limit the externalities caused by maintaining large bidding zones (i.e. higher uncertainty and larger loop flows) and allows TSOs to shift internal congestion to borders (by the introduction of heavily congested internal lines). As such, in 2015, CWE regulators asked the CWE transmission system operators to review the current selection method in their common position paper and - in the absence of a proposal for revision - asked the question again at the start of 2017. The outcome of the CWE-TSO study, which will result in a joint CWE-TSO proposal, is expected in May 2018. An important input for this study is the proposal that the CREG discussed with the CWE regulators and Elia in March 2016 and submitted to the CWE-TSOs. A crucial element of the CREG's proposal is that minimum conditions are set with regards to the available capacity on the transmission lines to be included in the CWE FBMC, in order to counteract inefficiencies and discrimination of internal versus cross-border trade. This is necessary for the CWE market coupling to contribute effectively to higher volumes of cross-border trade and better price convergence between the bidding zones.

### 3. The electricity market

Figure 5: Number of hours that a Critical Branch Critical Outage (CBCO) limited CWE cross-border trade depending on the location of the CBCO (bidding zone Belgium (BE), Netherlands (NL), France (FR) and Germany/Austria/Luxembourg (DE/AT/LU)) (Sources: TSOs CWE and CREG calculations)

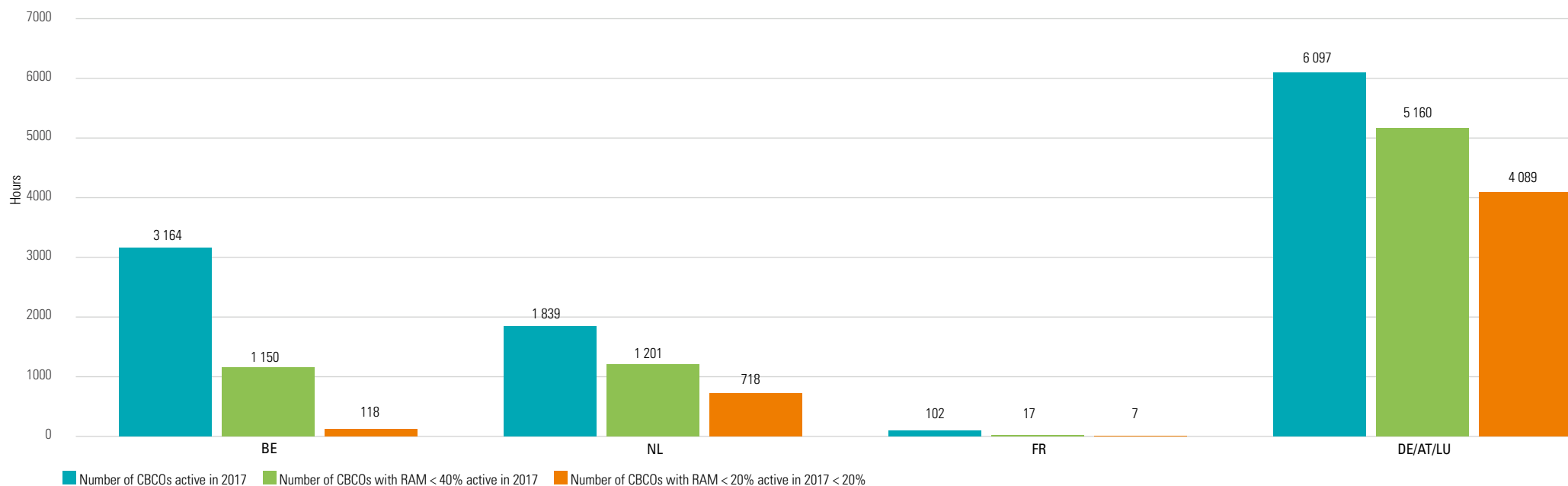


Table 5 on the following page shows the evolution of annual revenues from import and export capacities purchased by market actors in explicit auctions, valid for the following year or the following month. The table shows that in 2017 market actors were able to procure annual and monthly capacity for an amount of €64.6 million, almost as much as in 2016. However, revenues from the annual auctions were higher in 2017 than in 2016, and revenues from the monthly auctions were lower.

This can be explained, inter alia, by the increase in the capacity price at the annual auction on the northern border, from the

Netherlands to Belgium (€4.44/MW in 2017 compared to €3.22/MW in 2016), and at the southern border, from Belgium to France (€1.16/MW compared to €0.96/MW), as well as by a significant decrease in the volumes offered at the monthly auctions. The main decrease in monthly capacity was on the northern border between the Netherlands and Belgium (average 204 MW in 2017, compared to 419 MW in 2016). On average, the capacity price at the monthly auction was higher than at the annual auction.

On average, the capacity price was higher than the effective price difference on the daily market, with the exception of the capacity price from the Netherlands to Belgium. The latter was €4.4/MW at the annual auction and on average €4.9/MW at the monthly auction, while the average price difference for that year between Belgium and the Netherlands on the daily market was €5.3/MW.

Table 5: Annual revenues from capacities offered for auction (in millions of euros) (Sources: Elia data, CREG calculations)

Year	Yearly auctions	Monthly auctions	Total
2007	38.9	16.0	54.9
2008	27.1	11.6	38.7
2009	30.9	12.3	43.2
2010	25.5	8.1	33.6
2011	10.1	5.2	15.3
2012	15.6	8.5	24.1
2013	36.7	20.7	57.4
2014	42.6	24.1	66.6
2015	65.1	37.1	102.1
2016	33.4	30.7	64.1
<b>2017</b>	<b>42.0</b>	<b>22.7</b>	<b>64.6</b>

Despite the establishment of market coupling in November 2010 between five countries of the CWE region (Luxembourg, Belgium, the Netherlands, France and Germany), considerable price discrepancies between day-ahead exchanges can still be observed. These discrepancies indicate saturation of the commercial interconnection capacity between two markets. The price gap is a reflection of the severity of the observed congestion.

The trends in commercial congestion charges on D-1 for the Belgian market from 2007 to 2017 are illustrated in Figure 6. The figure shows the total revenues of the daily market by border. In practice, this amount is shared by the holders of long-term rights and transmission system operators on both sides of the border.

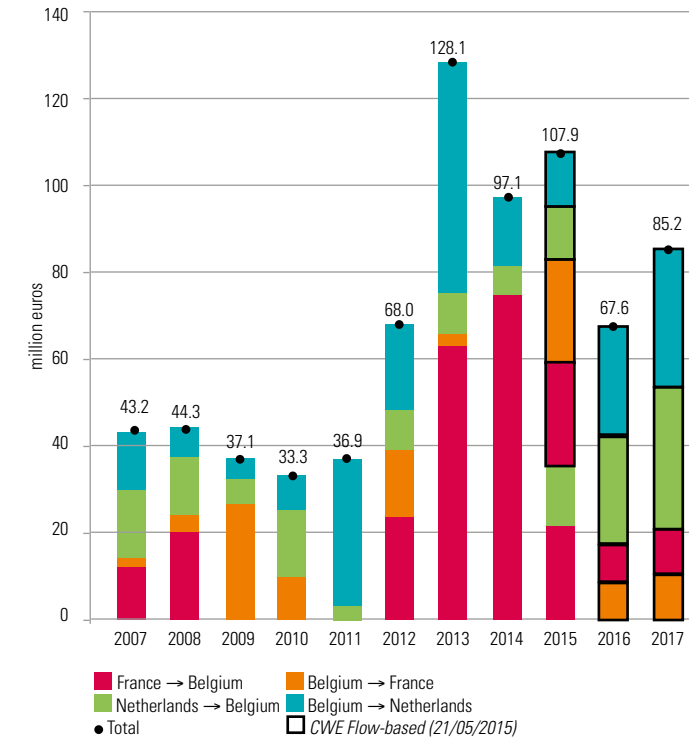
In 2017, congestion rents generated on Belgian borders amounted to €85.2 million. This was 26% more than in 2016, but lower than the three previous years.

As was the case in 2016, congestion rents were generated mainly on the Belgian-Dutch border: €64.8 million on the Belgian-Dutch border versus €20.4 million on the French-Belgian border. This reflects the higher average absolute value of the price difference on the Belgian-Dutch border compared to that on the Belgian-French border. The average absolute value of the price difference on the Belgian-Dutch border amounted to €7.2/MWh, and that on the Belgian-French border amounted to €4.2/MWh. In January 2017 and November 2017, price differentials with neighbouring countries were the highest. Together, these two months accounted for 57% of congestion rents on the Belgian-Dutch border and 33% on the Belgian-French border.

Until 21 May 2015, the congestion charges could be calculated per border and per direction. This is no longer the case. Since the introduction of flow-based market coupling between the four bidding zones of the CWE region, congestion charges are determined based on the results of flow-based market coupling, and then allocated to a bidding zone border using a distribution formula. At present, the income per border is divided equally between the two neighbouring system operators (50/50).

Moreover, all European transmission system operators have jointly proposed a new method to divide congestion revenues under Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a guideline on capacity allocation and congestion management. On 14 December 2017, at the request of all regulatory authorities, the Agency for the Cooperation of Energy Regulators (ACER), through its Decision 07-2017, adapted and adopted the methodology proposed by the transmission system operators. The main changes from the original allocation methodology concern the distribution of congestion revenues from exchanges externally to the capacity calculation region and the distribution of costs related to the compensation of long-term transmission allowances.

Figure 6: Daily congestion charges from market coupling (Sources: Elia data, CREG calculations)



### 3.1.4.2. Analysis of the investment plan of the transmission system operator for its compliance with the development plan for the network in the entire European Union

See section 3.4.2. of this report.

#### 3.1.4.3. Impact of a number of actions on the functioning of flow-based market coupling

In May 2015, flow-based market coupling was introduced for the coupling of the day-ahead markets in the CWE region. The national regulators welcomed this introduction, but asked for improvements to be made to it. Two years later, not all the requests for improvement were met and the results were less than expected. Moreover, since the introduction of flow-based market coupling, the capacities exchanged during congested hours have been 13% lower on average, compared with the previous ATC method.

In a new study<sup>52</sup> the CREG analyses the impact of 7 actions selected by the transmission system operators for the operation of flow-based market coupling, including the introduction of new critical network elements, the introduction of Final Adjustment Values to reduce the capacity on interconnections and the use of thermal summer limits in the winter. These actions have led to a reduction in capacity for cross-border trade, with lower volumes exchanged and higher price differentials as a result. Belgian, French and Dutch consumers suffer the largest loss.

The current situation does not comply with the basic principles of the internal electricity market. CWE regulators are negotiating measures to improve the situation in the short and medium term. The CREG expects a clear improvement if the measures proposed by the CREG and other national regulators are to be implemented.

#### 3.1.4.4. The use of Dynamic Line Rating in the capacity calculation

Dynamic Line Rating (DLR) is a method of dynamically determining the capacity of overhead transmission lines, i.e. the maximum electrical current which can pass through a transmission line, given its design, safety criteria and meteorological conditions (temperature, wind speed, etc.) for the line in question.

On 5 October 2017, the CREG decided not to approve Elia's proposal for a methodology for the use of Dynamic Line Rating in the capacity calculation.<sup>53</sup> In view of the substantial improvement with regard to the transmission capacity made available to the market, the CREG decided to allow the application of the proposed method, pending the application for approval of the amended proposal and the relevant decision.

Elia submitted a revised methodology on 5 December 2017. The CREG will take a new decision at the start of 2018.

#### 3.1.4.5. The implementation of network codes

The entry into force of various network codes has led to a number of additional tasks for various regulatory authorities, including the CREG, and the need to strengthen European and regional cooperation.

As part of the implementation of the CACM Regulation (EU) 2015/1222 and the FCA Regulation (EU) 2016/1719, the CREG, along with other regulatory authorities, needed to take a decision on various proposals from the European transmission system operators and Nominated Electricity Market Operators (NEMO). These proposals include methodologies that are essential for establishing single day-ahead, intraday and long-term market coupling in Europe.

#### • Modification of the capacity calculation regions

On 28 September 2017, the CREG approved Elia's proposal to amend the capacity calculation regions.<sup>54</sup> This proposal was developed jointly by Elia and all European transmission system operators in order to include the new bidding zone between Belgium and the United Kingdom in the Channel capacity calculation region.

#### • Regional draft for long-term rights

On 16 October 2017, the CREG approved Elia's proposal for the regional draft for long-term transmission rights.<sup>55</sup> This proposal defines, for the bidding zone limits of the Core capacity calculation region, which long-term rights will be offered by the transmission system operators, and which have been developed jointly by Elia and all transmission system operators in the Core region.

<sup>52</sup> Study (F)1687 on the operation and draft of the Central-West European day-ahead flow-based market coupling for electricity: the impact of discretionary actions of TSOs.

<sup>53</sup> Decision (B)1636 on the proposal by Elia System Operator NV for a methodology for the use of Dynamic Line Rating in capacity calculation.

<sup>54</sup> Decision (B)1674 on the joint proposal by Elia System Operator NV and all transmission system operators to modify the demarcation of capacity calculation regions.

<sup>55</sup> Decision (B)1683 on the joint proposal by Elia System Operator NV and all transmission system operators of the Core capacity calculation region for the regional draft for long-term transmission rights.



- **Regional demands regarding harmonised allocation rules**

On 16 October 2017, the CREG approved Elia's proposal for the regional demands regarding harmonised allocation rules.<sup>56</sup> This proposal aims to set an upper limit, for the bidding zones whose borders form part of the Core capacity calculation region, for the payment of compensation to holders of reduced long-term rights, and it was developed jointly by Elia and all transmission system operators in the Core region.

- **Joint exercise of market coupling management functions**

In April 2016, Epex Spot Belgium and Nord Pool submitted an application to the CREG for approval of the plan for the joint exercise of the market coupling management functions (the 'MCO plan'). This plan was developed by Epex Spot Belgium, Nord Pool and the other European Nominated Electricity Market Operators (NEMOs) and submitted to the regulatory authorities for approval.

After two earlier requests for amendment in October 2016 and April 2017, the CREG approved the proposed plan.<sup>57</sup>

- **Demands regarding the central allocation platform and methodology for sharing the costs of the platform**

In April 2017, the CREG received an application for approval from Elia and all transmission system operators for a joint proposal on the demands regarding the central allocation platform and the methodology for sharing the costs of the central allocation platform. The CREG approved the proposal.<sup>58</sup>

- **Methodology for sharing the congestion income**

In July 2016, Elia submitted an application to the CREG for approval of a methodology for sharing congestion revenues. This methodology was developed by Elia and all other European transmission system operators, and was submitted to the regulatory authorities for approval.

In consultation with the other European regulators, the CREG decided to jointly request that ACER take a decision on the proposed methodology. This document contains the letter with the request.<sup>59</sup>

- **Term for the day-ahead firmness**

In December 2016, Elia submitted an application for approval of the deadline for day-ahead firmness. This term was specified by Elia and the other European transmission system operators, and was submitted to the regulatory authorities for approval. The CREG approved the proposed term.<sup>60</sup>

- **Common network model**

In June 2016, Elia submitted an application to the CREG for approval of a methodology for the common network model.

This methodology was developed by Elia and all other European transmission system operators, and was submitted to the regulatory authorities for approval. On 18 May 2017, the CREG approved the proposed methodology.<sup>61</sup>

- **Methodology for the provision of generation and baseload data**

In June 2016, Elia submitted an application to the CREG for approval of a methodology for the provision of generation and baseload data. This methodology was developed by Elia and all other European transmission system operators, and was submitted to the regulatory authorities for approval. On 12 January 2017, the CREG approved the proposed methodology.<sup>62</sup>

#### 3.1.4.6. Analysis of the results of the day-ahead market in Belgium and Germany/Austria from 1 May 2017

The CREG analysed the results of the day-ahead market in Belgium and Germany/Austria on 1 May 2017.<sup>63</sup> The day-ahead price in Belgium was €36/MWh for 18 hours, which, interestingly enough, indicated robust prices. This was due to an erroneous order manually entered by an economic operator due to unusual circumstances. The market participant in question informed the CREG that it had taken steps to avoid such errors in the future.

In the same memorandum, the CREG also analysed the negative day-ahead prices (about -€60/MWh) in Germany/Austria on the same day and the resulting high price difference between Germany/Austria and the other countries in the CWE zone. Despite these high price differences, there was little cross-border trade and it was limited by network elements which exhibited congestion. Approximately half of these network elements were located in the areas controlled by the German transmission system operator Amprion and the Dutch transmission system operator Tennet NL. In addition, loop flows up to 1600 MWh/h led to congestion in the Belgian bidding zone.

<sup>56</sup> Decision (B)1684 on the joint proposal by Elia System Operator NV and all transmission system operators of the Core capacity calculation region for the regional demands regarding harmonised allocation rules.

<sup>57</sup> Decision (B)1603 on the joint application for approval of EPEX SPOT Belgium and Nord Pool AS and all the nominated electricity market operators for the amended plan relating to the joint exercise of the MCO functions.

<sup>58</sup> Decision (B)1675 on the common proposal of Elia System Operator NV and all transmission system operators for the demands regarding the central allocation platform and the methodology for sharing the costs of the central allocation platform.

<sup>59</sup> Request for amendment by all regulatory authorities agreed at the Energy Regulators' Forum on all TSO's proposal for congestion income distribution methodology'.

<sup>60</sup> Decision (B)1638 on the common proposal of Elia System Operator NV and all transmission system operators for the term for day-ahead firmness.

<sup>61</sup> Decision (B)1627 on the amended common proposal of Elia System Operator NV and all transmission system operators for a methodology for the common network model.

<sup>62</sup> Decision (B)1593 on the common proposal by Elia System Operator NV and all transmission system operators for a uniform methodology for the provision of generation and baseload data.

<sup>63</sup> Note (Z)1655 on the analysis of the results of the day-ahead market in Belgium and Germany/Austria of 1 May 2017.

## 3.2. Competition

### 3.2.1. Monitoring of wholesale and retail prices

#### 3.2.1.1. CREG studies conducted in 2017

- **Composition of the product portfolios per supplier and potential savings**

At the end of 2015, the CREG published a study on the product portfolios of the electricity and natural gas suppliers. This study revealed that the most expensive contracts dominated the Belgian market. The high number of dormant contracts was also striking.

On 18 May 2017, the CREG published an update to this study, on the one hand for households<sup>64</sup> and on the other for SMEs and the self-employed<sup>65</sup>. The study showed that the situation has barely improved.

The ten most expensive electricity products for households still represent 50% of the market in Wallonia, 66% of the market in Flanders and 28% of the market in Brussels for the five most expensive electricity products, while the ten cheapest electricity products represent barely 14% (Flanders: 24%, Brussels: 9% for the five cheapest products).

The ten most expensive natural gas products for households represent 54% of the market in Wallonia, 47% of the market in Flanders and 41% of the market in Brussels for the five most expensive natural gas products, compared to 21%, 27% and 6% respectively for the ten cheapest products.

The ten most expensive electricity products for SMEs account for 75% of the market shares in Wallonia, 70% in Flanders and 44% in Brussels for the five most expensive electricity products, and the ten cheapest electricity products account for only 6% in Wallonia, 19% in Flanders and 6% in Brussels for the five cheapest products.

The ten most expensive natural gas products for SMEs represent 57% of the entire market in Wallonia, 50% in Flanders and 43% in Brussels for the five most expensive natural gas products, while the ten cheapest natural gas products account for barely 23%, 18% and 23% respectively for the five cheapest products.

The CREG has observed that Belgian consumers are active on the energy market, but the evolution of the product portfolios also shows that they are often the same group of consumers who regularly change their products from among the most familiar suppliers. Among a significant group of consumers with older and often more expensive contracts, the market almost does not change at all.

Finally, the CREG warns against expensive extension products.

Especially in the case of fixed-term contracts with a longer duration (e.g. three years), it is often these products that have the most potential to generate significant savings.

- **Verification mission in the context of extending the lifetime of the Tihange 1 power plant**

On 22 June 2017, the CREG published its report (RA)1642 on the verification of the revenues and actual costs of the Tihange 1 nuclear power plant for the period from 1 January 2016 until 31 December 2016, in accordance with the Convention on the extension of the lifetime of Tihange 1 of 12 March 2014 and the amendment to the Convention on the extension of the lifetime of 31 March 2017.

- **Nuclear distribution fee**

On 22 June 2017, the CREG issued an opinion (A)1641 on the profit margin of the industrial production of electricity by the fission of nuclear fuels by the plants subject to the distribution fee (Doel 3, Doel 4, Tihange 2 and Tihange 3) for the year 2016, in accordance with the Law of 11 April 2003 on provisions made for the decommissioning of nuclear power plants and for the management of irradiated fissile material in these plants.

The amount of the distribution fee for the year 2017 was set at €192,798,603.86 by the Royal Decree of 15 October 2017.<sup>66</sup>

- **Price components**

Since 2007, the CREG has monitored the evolution of electricity and gas prices charged to end consumers.

<sup>64</sup> Study (F)1626 on the composition of product portfolios by supplier and the potential savings for private individuals in the Belgian electricity and natural gas market.

<sup>65</sup> Study (F)1639 on the composition of product portfolios by supplier and potential savings for SMEs and the self-employed in the Belgian electricity and natural gas market.

<sup>66</sup> Royal Decree of 15 October 2017 establishing the amount, for 2017, of the distribution contribution referred to in Article 14, § 8, paragraph 16 of the Law of 11 April 2003 on provisions made for the decommissioning of nuclear power stations and for the management of irradiated fissile materials in these plants (Belgian Official Journal of 30 October 2017).

The study from March 2017<sup>67</sup> provides insight into the development of electricity and natural gas price components from 2007 until 2016.

In addition to the evolution of the pure energy price, which follows the market, a number of changes occurred in 2016 that affected the price paid by the end user. For example, the free 100 kWh was phased out in Flanders and the reform in March 2016 of the contribution to the Flemish Energy Fund into an annual levy, which is determined on the basis of the consumption bracket. Finally, there were also the annual changes in the distribution network and transmission network fees and the levies.

#### • Functioning of and price trends on the wholesale electricity markets in 2016

Like every year since 2007, the CREG examined the functioning of, and the price evolution within, the Belgian wholesale electricity market from the previous year in 2017.<sup>68</sup> The objective of the study is to consider certain important aspects of the Belgian electricity market, including the generation, consumption and exchange of electricity on power exchanges, interconnections with other countries and balancing.

For the third year in a row, the load on the Elia grid, an indicator of Belgian electricity consumption, was approximately 77.3 TWh in 2016. This stabilisation in electricity offtake came on the heels of a continuous decline which started in 2007. At the same time, the estimated amount of solar electricity generated stabilised at around 2.9 TWh in 2016.

In a special section on electricity consumption, the impact of the mass introduction of electric cars is briefly analysed. The introduction of one million electric cars in Belgium will only increase electricity consumption by 4%. This additional consumption will not reduce the security of supply, provided that these electric cars are charged at the right time. In addition, even in relatively small numbers, electric cars could become a source of supply themselves due to the higher storage capacity: in theory, 100,000 electric cars would suffice to almost double the existing storage capacity in Belgium.

Compared to 2015, electricity generation in Belgian power stations rose sharply, from 55.7 TWh to 69.7 TWh. This is mainly attributable to the fact that two nuclear power plants were recommissioned at the end of 2015. However, the large gas-fired power stations together generated the same amount of electricity in 2016 (12.5 TWh) as in 2015 (12.4 TWh). The increase in nuclear production led to a decrease in imports.

Until the end of September 2016, price convergence in Central-West-Europe was particularly high.

In the final months of 2016, a decrease in nuclear capacity in France and Belgium and limited interconnection capacity in the CWE zone resulted in higher prices in Belgium and France, with several hourly price peaks in excess of €500/MWh. The lack of interconnection capacity was also clearly visible in the forward markets where the average annual-ahead price in 2016 was €33.4/MWh, 25% higher than the price of €26.6/MWh that German consumers had to pay.

In its study, the CREG also analysed and explained how flow-based market coupling functions in the CWE zone. It demonstrates that this market coupling is seriously flawed, leading to discriminatory and inefficient market outcomes. Internal transmission networks with structural congestion, most of which are located in Germany, lead to an electricity market in the CWE area with substandard and unfair performance.

Since 2013, following the introduction of a single price mechanism, the average imbalance price (the electricity price in real time) has been very close to the average day-ahead price. This was also the case in 2016. As a result, the average day-ahead price can be considered as a more or less neutral indicator of the average price in real time.

In 2016, the use of reserves for balancing the Elia grid amounted to 640 GWh (upward and downward adjustments combined), the lowest level for more than five years. The activation of around 400 GWh of reserves was avoided thanks to the IGCC, a mechanism whereby a country's imbalance is offset with other countries participating in the mechanism. Consequently, the IGCC mechanism, also for balancing and reserves, shows how important it is for Belgium to cooperate at European level in the interests of Belgian consumers.

#### • European comparison of prices to large industrial customers

In 2015 PwC conducted a study on behalf of CREG entitled 'A European comparison of electricity and gas prices for large industrial consumers'. This showed that the situation of Belgian industrial consumers was complex and that further research was necessary.

<sup>67</sup> Study (F)1616 on electricity and natural gas price components.

<sup>68</sup> Study (F)1609 on the functioning of and price trends on the Belgian wholesale electricity market – monitoring report 2016. On 19 January 2017, the CREG had already issued a first concise memorandum (Memorandum (Z)1601) providing an overview of key developments in prices and consumption in the Belgian wholesale electricity and gas markets in 2016. This memorandum anticipated the more detailed studies conducted annually by CREG and referred to in this report.

The follow-up study conducted in June 2016 once again compared energy prices for six industrial consumers (four for electricity and two for natural gas, selected in consultation with the relevant sector organisations) in Belgium and the four neighbouring countries.

As stipulated, on 30 March 2017 PwC presented its second annual follow-up study to the CREG.<sup>69</sup> This study largely confirmed the conclusions drawn beforehand. Competition with electricity-intensive consumers abroad remains a problem.

#### • Supply of major industrial customers in Belgium

In November 2017, the CREG, on its own initiative, conducted a study into electricity supply to major industrial customers in Belgium in 2016,<sup>70</sup> with the aim of improving the transparency of the supply of electricity to major industrial customers.

Analysis of the supply contracts shows that industrial customers mainly enter into short-term contracts (with a duration of 1 or 2 years). In 2016, billed energy prices were between €15/MWh and €75/MWh, whereby 50% of customers were situated between €48/MWh and €62/MWh. The annual electricity offtake from the Elia grid fell in 2016 to 16.76TWh. A comparison of energy exchanges between Access Responsible Parties (ARPs) in 2016 with those in 2015 leads to the conclusion that, in addition to a decrease in exchanges on electricity exchanges and a reduction in the energy purchased by industrial ARPs via the EPEX SPOT Belgium daily market, there was also a fall in the competition in the over-the-counter market for the supply of industrial ARPs.

This study is based, in particular, on two studies carried out in September 2017 on energy price-setting mechanisms to determine the energy prices in force in 2016 in the electricity supply contracts of the large industrial customers Electrabel<sup>71</sup> and EDF Luminus<sup>72</sup>. The CREG compiled a detailed inventory of the mechanisms for setting the different energy price components based on which major Belgian industrial customers were billed. These studies aimed to identify the main factors that influenced, and will still influence in the future, the energy prices charged to major Belgian industrial customers.

#### • Operational profitability of the existing CCGT plants

In November 2017, the CREG published a study on the operational profitability of existing CCGTs in Belgium.<sup>73</sup> This study provides a methodology to assess their profitability. After 2012, profitability fell sharply. However, an average CCGT currently active on the Belgian market still generates sufficient profits to remain operational.

In the past, prices on the long-term markets allowed sufficient profits to be made, whereas in recent years this was more the case for prices on the short-term markets. If a minimum price for CO<sub>2</sub> emissions is established, this would have an impact on the future profitability of the plants. The results indicate that, despite the decrease in operational profitability since 2013, under the current Belgian market conditions, existing Belgian CCGTs can still be sufficiently competitive to generate an operating profit in an energy-only market.

Based on operational profitability alone, no conclusions can be drawn as to whether or not it is economically rational to invest in a new CCGT plant. This requires an analysis of the net profit and of the risk associated with the investment decision. This analysis takes into account the possible evolution of factors influencing profitability for the period after 2021 until the expected end of the lifetime of the plant.

#### 3.2.1.2. Safety net

The main objective of the safety net mechanism is to bring the energy prices offered by suppliers to both residential and business customers closer to the average of our neighbouring countries (Germany, France, the Netherlands).

The safety net mechanism was in operation, in principle, until 31 December 2017. However, the King may decide to end the mechanism at any time if it has significant distorting effects on the market. In this respect, the CREG and the National Bank of Belgium are responsible for the permanent monitoring of the mechanism.

In the context of this permanent monitoring, the CREG published its third annual report<sup>74</sup> on the safety net mechanism on 5 October 2017. In this report, the focus is on identifying possible distorting effects on the energy market caused by the safety net mechanism.

The CREG did not identify any market-distorting effects as a result of this mechanism.

69 'A European comparison of electricity and gas prices for large industrial consumers 2017 update'.

70 Study (F)1694 into the supply of electricity of major industrial customers in Belgium in 2016.

71 Study (F)1667 on the price setting mechanisms applicable in 2016 in electricity supply contracts of the major industrial customers of Electrabel NV.

72 Study (F)1668 into the price setting mechanisms applicable in 2016 in electricity supply contracts of the major industrial customers of EDF Luminus NV.

73 Study (F)1628 into the operational profitability of existing CCGT plants in Belgium.

74 Report (Z)1676 on the monitoring of possible distorting effects on the market, for the period 2013-2017, as part of the safety net mechanism introduced by Article 20bis, §§1 to 5 of the Electricity Act and Article 15/10bis, §§1 to 5 of the Gas Act.

In this report, the CREG outlines the results of its monitoring tasks for the period 2013-2017.

This safety net mechanism has helped to provide clearer and more transparent information to the various market participants, for example by making it compulsory to use indexation parameters linked to stock exchange listings for electricity and natural gas.

The CREG believes that further efforts need to be made to achieve greater transparency in the energy market. Consequently, the CREG advocates maintaining the provisions of the Royal Decrees of 21 December 2012, or including them in the Electricity Act and Gas Act on the envisaged expiry date of the safety net mechanism (31 December 2017).

In the future, the CREG will further monitor the prices offered to household customers and SMEs, in particular by keeping a database up-to-date with the price formulas of all products offered on the Belgian retail market.

In addition, the CREG will continue to carry out the international comparison of energy prices. It will also monitor price setting in neighbouring countries, and the relationship between prices in Belgium and those in neighbouring countries. The results of these monitoring activities will be published in a regular monitoring report.

#### Databases of energy prices

Since 2012, the CREG has established, for each supplier operating in Belgium, for any variable type of contract and for any new standard contract, by consultation with them, a database to record the methodology for calculation of variable energy prices, including indexation formulas and the parameters that they use. To this end, and in order to keep the database up-to-date, the CREG makes use of publicly available data (suppliers' websites) and the data that suppliers are obliged to submit to the CREG every month.

In addition to the variable components, the database also includes all the products that have a fixed energy component.

All the elements included in the price formula of the energy component (subscription, indexation parameters and related coefficients, renewable energy and combined heat and power contributions) are included separately in the database. The energy component of the annual energy bill is then calculated for certain standard customers<sup>75</sup> using relevant annual consumption levels.

The results are compared by sampling with those from the suppliers' calculation modules and the existing price comparison modules.

The CREG also continuously compares the energy component for the supply of electricity and natural gas to household and SME end consumers with the average energy component of neighbouring countries.

In the context of its general monitoring duties and, in particular, as part of the safety net mechanism, in 2012 the CREG also established a permanent database of energy prices in the neighbouring countries (Germany, France, the Netherlands) and in the United Kingdom.

As such, in addition to the energy component, the CREG has monitored the all-in prices (total bill) in Belgium and in the neighbouring countries on a monthly basis, since 2012.

The results obtained by the CREG are, furthermore, checked by country by comparing them with the results obtained using the price simulators of neighbouring countries.

In an effort to improve both the content and clarity of its communication, the CREG publishes infographics that provide a clear overview of the number of active suppliers and their product offering, as well as potential savings. The first infographic on the next page relates to household customers, and the second to business customers (SMEs and the self-employed).

<sup>75</sup> Electricity household customer: 3,500 kWh/year, single meter and electricity SME: 50,000 kWh/year, single meter Natural gas household customer: 23,260 kWh/year and natural gas SME: 100.000 kWh/year

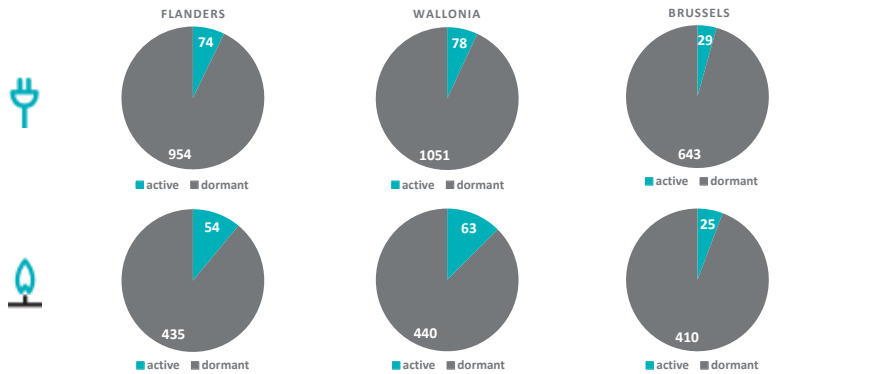
### 3. The electricity market

#### INFOGRAPHIC FOR HOUSEHOLDS

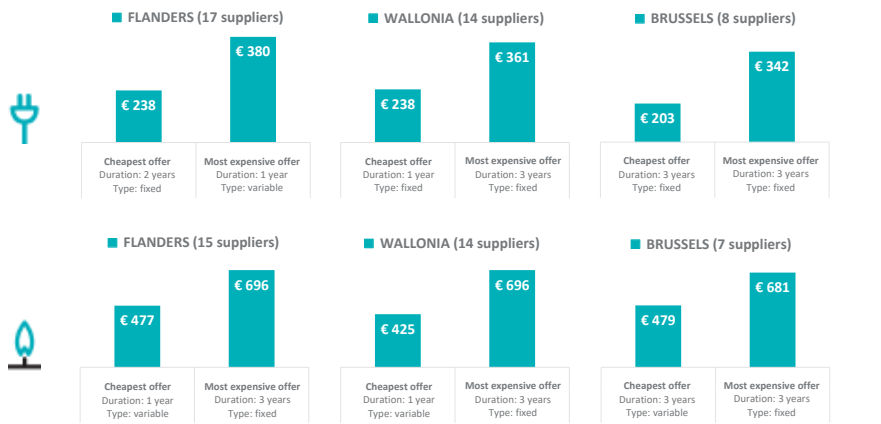
december 2017

— CREG —

##### Number of existing products (active and dormant\*)



##### Price of the energy component\*\* for active products



##### Potential for savings



**CREG Scan - Do you have the best energy contract?**

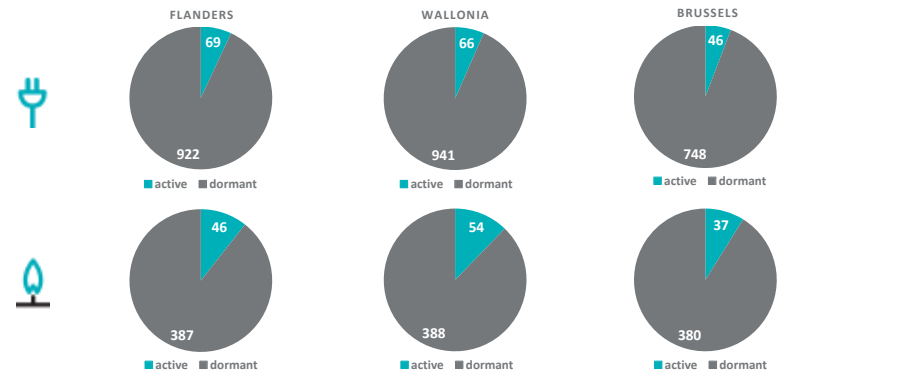
\* dormant products: do not appear in the results of the price comparisons, but are included in the CREG Scan  
 \*\*23,260 kWh of natural gas, 3,500 kWh of electricity, excluding VAT, taxes, distribution and transmission

#### INFOGRAPHIC FOR SMEs & SELF-EMPLOYED

december 2017

— CREG —

##### Number of existing products (active and dormant\*)



##### Price of the energy component\*\* for active products



##### Potential for savings



**CREG Scan - Do you have the best energy contract?**

\* dormant products: do not appear in the results of the price comparisons, but are included in the CREG Scan  
 \*\*100,000 kWh of natural gas, 50,000 kWh of electricity, excluding VAT, taxes, distribution and transmission

Analysis of the energy component of prices and the continuous price comparison between Belgium and the neighbouring countries shows, as illustrated in the adjacent figures and those shown on the following page, that implementation of the safety net mechanism has brought about convergence between Belgian energy prices and those in the neighbouring countries. Monitoring nonetheless remains necessary in the future.

• Scrutiny of price indexation criteria

Every three months, the CREG takes decisions on the establishment of the correct application of the indexation formula and conformity with the exhaustive list of permitted criteria for the contract types with a variable energy price which have been offered to residential end customers and SMEs by suppliers.

The CREG’s analysis found that the above-mentioned indexation parameters and the resulting indexation formulas were stated in the tariff schedules in accordance with the full list of permitted criteria. In this context, the CREG analysed the developments in the indexation parameters and examined data accuracy. The values as calculated by the CREG matched the values used by suppliers on their tariff schedules.

The CREG used these values in the relevant price formulas and compared them with the prices on the tariff schedules. The CREG found, for all suppliers, that the prices stated on their tariff schedules for the energy component accurately reflected application of the price formulas with the relevant indexation parameters.

Suppliers had therefore correctly applied their standard contract indexation formulas to the variable energy component.

Figure 7: Monthly trends in the price of electricity in 2017 for a standard household customer (standard customer = 3,500 kWh/year) (energy component) (Source: CREG)

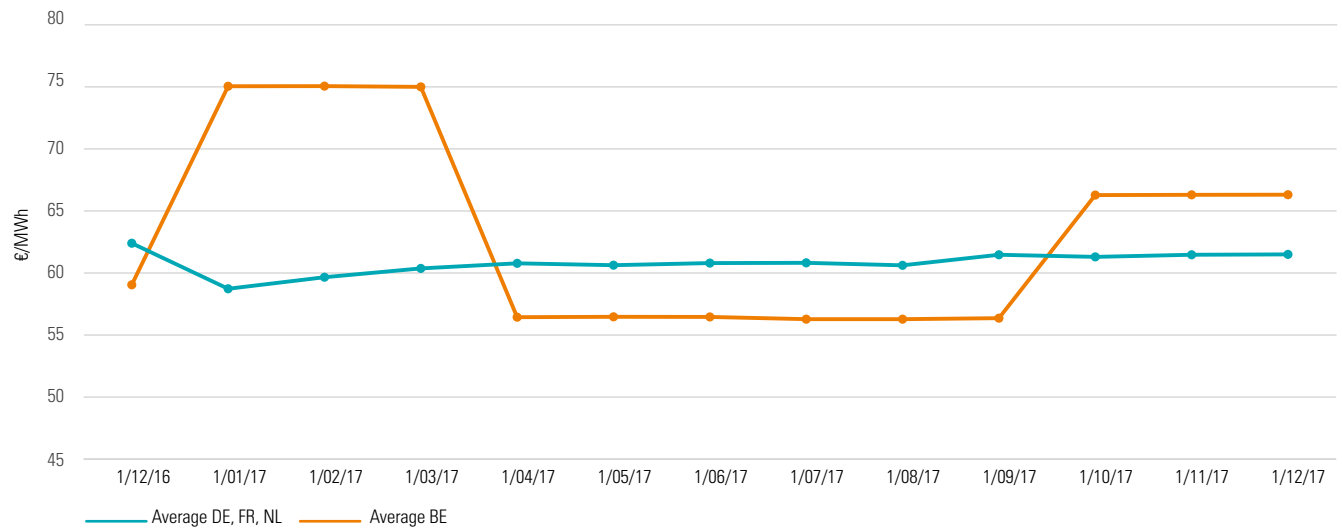
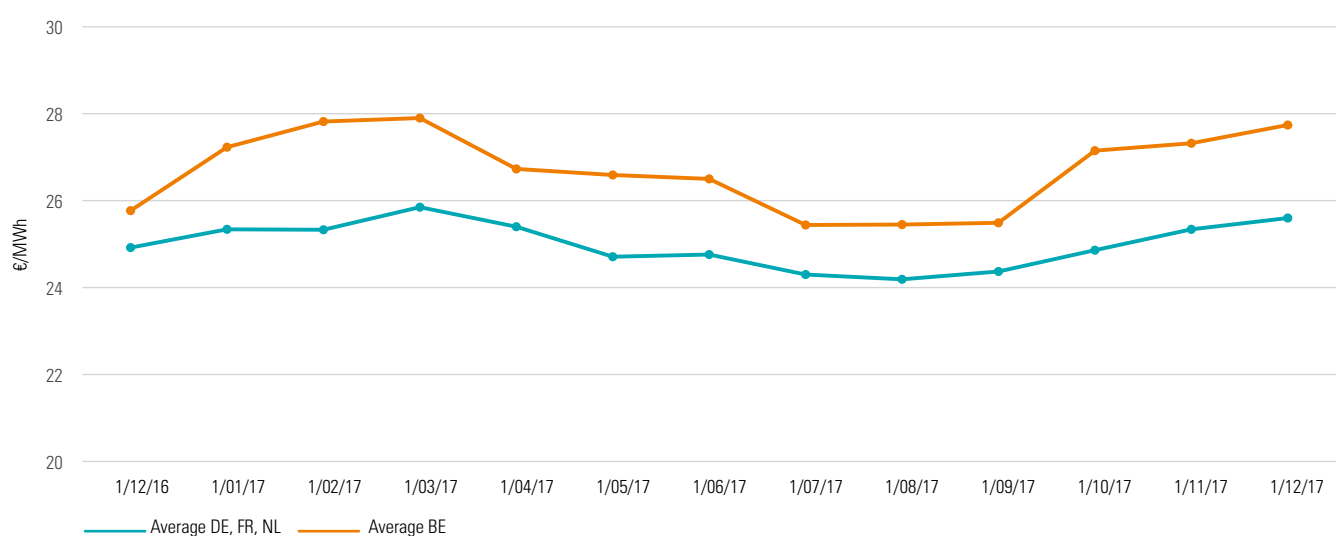


Figure 8: Monthly trends in the price of natural gas in 2017 for a standard household customer (standard customer = 23,260 kWh/year) (energy component) (Source: CREG)



### 3. The electricity market

Figure 9: Monthly trends in the price of electricity in 2017 for SMEs and the self-employed (standard customer = 50,000 kWh/year (energy component) (Source: CREG)

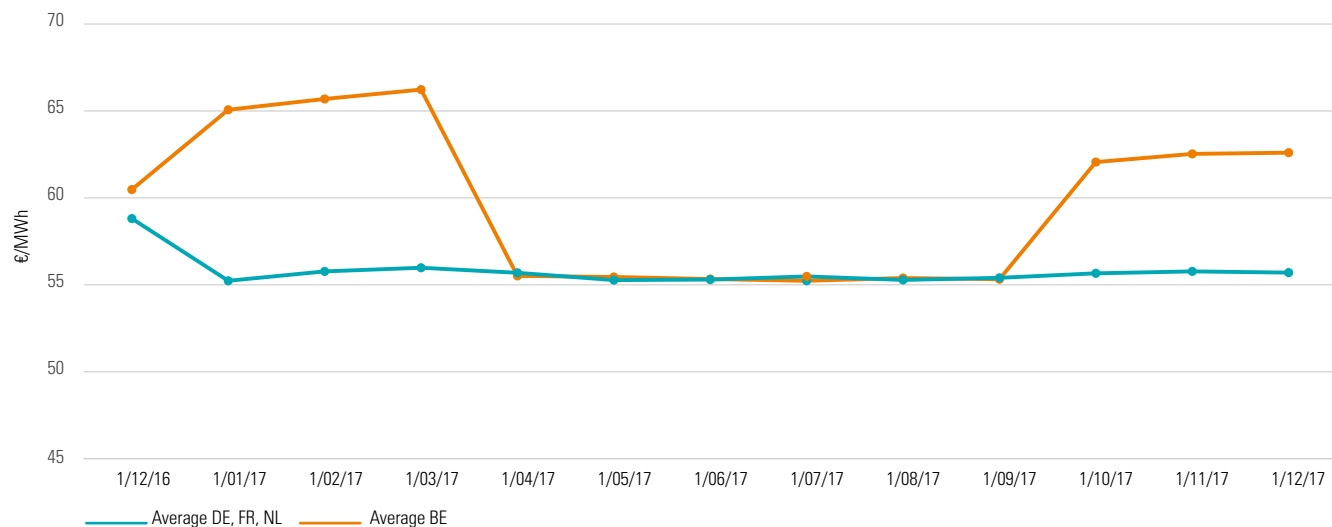
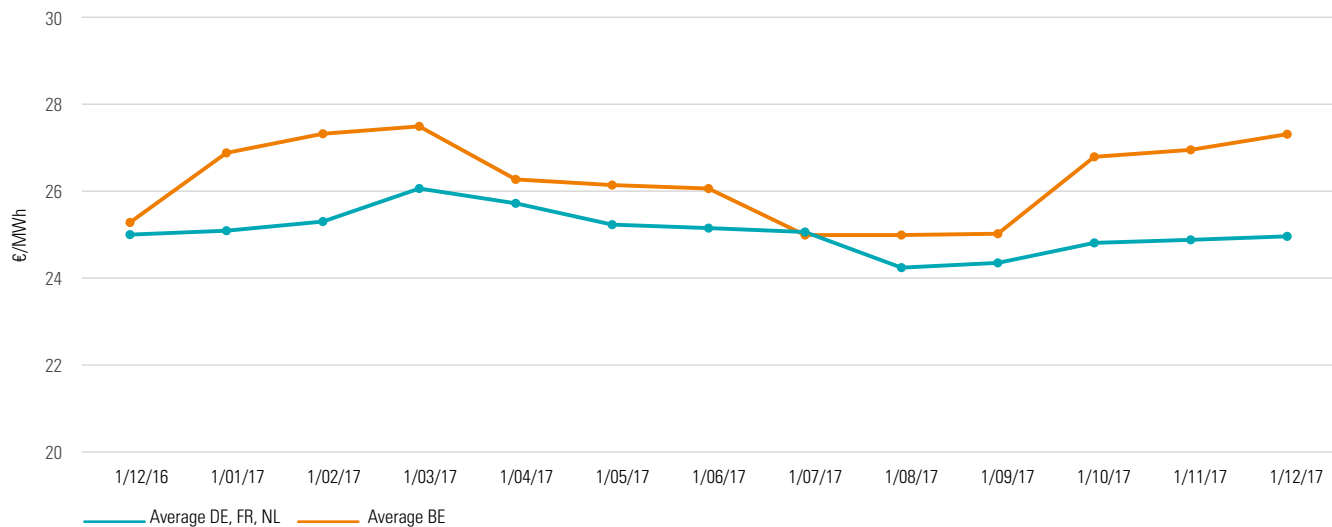


Figure 10: Monthly trends in the price of natural gas in 2017 for SMEs and the self-employed (standard customer = 100,000 kWh/year (energy component) (Source: CREG)



As part of its legal monitoring duties with respect to the safety net mechanism, each year the CREG undertakes an analysis of the parameters used by energy suppliers to calculate their prices. The 2016 analysis shows<sup>76</sup> that all parameters used demonstrate a clear link with the energy exchanges and that the elements on which their calculation is based are indicated. Market players can therefore access clear and transparent information.

On 31 December 2017 suppliers were using 11 different indexation parameters for electricity and 9 for natural gas. These indexation parameters were used in the contract types with a variable price of 15 electricity suppliers and 16 natural gas suppliers.

76 Report (Z)1620 on trends in indexation parameters of gas and electricity suppliers.



### 3.2.2. Monitoring of market transparency and openness

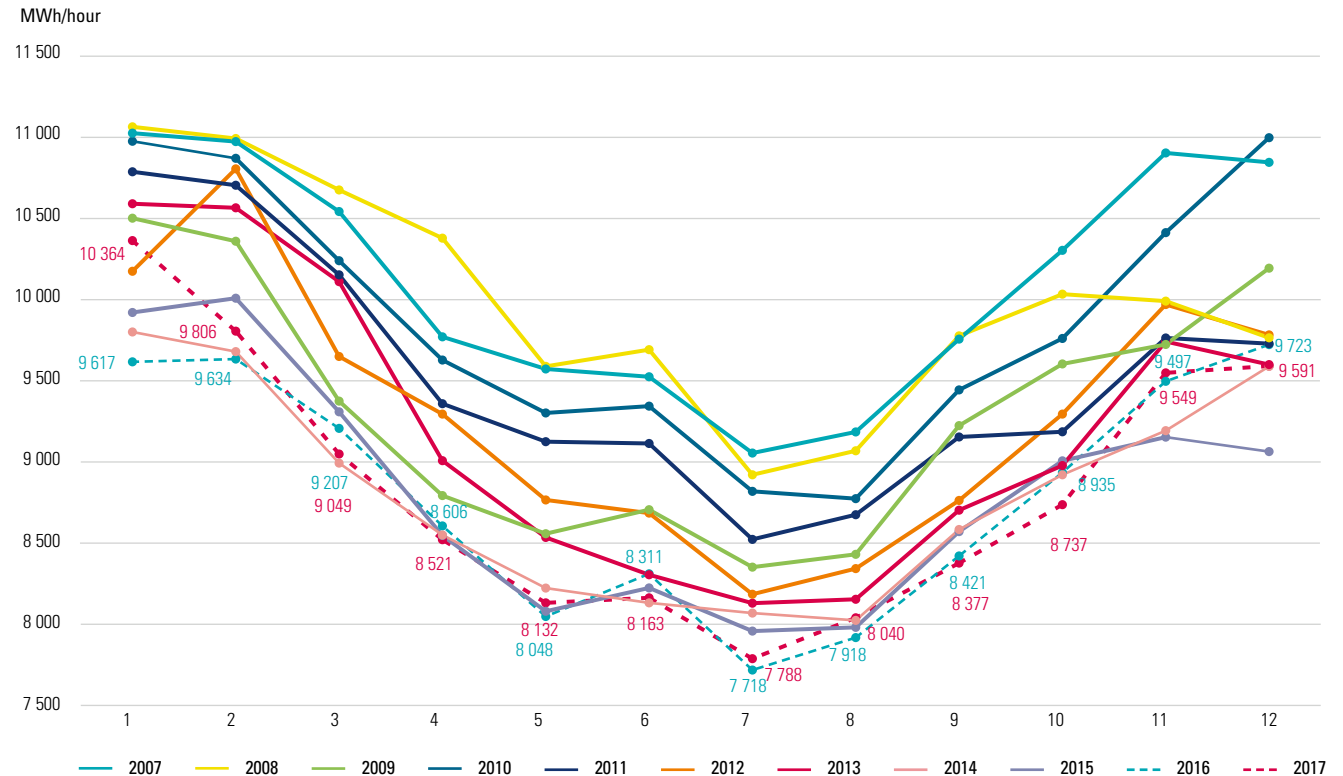
#### 3.2.2.1. Electrical power demand

According to the data supplied to the CREG, the load<sup>77</sup> on the Elia grid<sup>78</sup> without pump consumption by the pumping stations - in other words net offtake plus grid losses - was estimated at 77,414 GWh in 2017, compared to 77,295 GWh in 2016, or practically the same level from one year to the next. Peak capacity per quarter was estimated at 12,867 MW in 2017, compared to 12,734 MW in 2016 (Source: Elia, for 2017: provisional data, February 2018).

Figure 11 shows, for the years 2007 to 2017, the average monthly load on the Elia grid per year. Following a sharp drop in the load from October 2008 following the economic crisis, which also continued into 2009, the load recovered in early 2010. The recovery did not last, however, as the decline in load recommenced the following year to reach its lowest average levels in 2014, 2015, 2016 and 2017. Compared to 2007, the decrease in the average load was 12.6% in 2017. These figures have not been weighted for meteorological factors.

Local power generation by sites connected to the Elia grid is not fully taken into account in these figures. Synergrid has estimated local generation at 10.4 TWh in 2017 (10.1 TWh in 2016), i.e. a 3% rise compared with 2016.

Figure 11: Average monthly load on the Elia grid from 2007 to 2017. (Sources: Elia data, CREG calculations)



#### 3.2.2.2. Market share of wholesale generation

Table 6 on the next page provides an estimate, in both absolute value (in GW) and in relative value, of the Belgian market shares in electricity generation capacity at the end of each year.

Electrabel still has a substantial market share (72%) of total generation. The second largest player is EDF Luminus, with a market share of 14% in terms of generation capacity.

The HHI, a widely used concentration index, rose slightly in 2017. With a value of 5,510, it remains very high. By way of comparison, a market is considered to be highly concentrated if the HHI is equal to or higher than 2,000.

<sup>77</sup> The Elia grid load is based on the injections of electrical power into Elia's grid. It includes net generation from (local) plants injecting a voltage of at least 30 kV and the net balance of imports and exports. Power generating facilities connected to distribution systems at a voltage under 30 kV are only included if their net injection into the Elia grid is measured. The power needed to pump water into storage tanks in pumping stations connected to the Elia grid is subtracted. Not all injections by decentralised power generating plants which inject energy to distribution systems at a voltage under 30 kV are included in the Elia grid load. The share of this segment in generation has risen sharply in recent years. As such, Elia has decided to supplement its publication with a forecast of the total load in Belgium (Source: Elia).

<sup>78</sup> The Elia grid includes grids at a voltage of at least 30 kV in Belgium as well as the Sotel/Twinerg system in the south of the Grand Duchy of Luxembourg.

### 3. The electricity market

Table 7 provides the same estimate, but in terms of the power actually generated. Overall, the units connected to Elia's grid generated nearly 70.2 TWh in 2017, corresponding to the level generated in 2016.

The dominant position of Electrabel fell slightly to 77% in 2017 (compared to 79% in 2016). In 2017, the HHI fell to 6,152, confirming that the market is extremely concentrated.

Table 6: Wholesale market shares in electricity generation capacity (Sources: Elia data, CREG calculations)

	Generation capacity (GW)										Market share (%)										
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	
Electrabel	13,7	12,2	11,8	11,4	11,0	10,3	10,2	10,2	10,2	10,1	86%	75%	73%	70%	67%	65%	68%	71%	73%	72%	
EDF-Luminus <sup>(1)</sup>	1,9	2,2	2,4	2,4	2,3	2,2	1,8	1,7	1,9	2,0	12%	13%	15%	15%	14%	14%	12%	12%	14%	14%	
E.ON	0,0	1,4	1,5	1,5	1,5	1,5	1,1	0,6	0,0	0,0	0%	9%	9%	9%	9%	9%	7%	4%	0%	0%	
Other (<3%)	0,4	0,5	0,6	1,0	1,6	1,7	1,9	2,0	1,9	1,9	2%	3%	3%	6%	10%	11%	13%	14%	14%	14%	
<b>Total</b>	<b>16,0</b>	<b>16,3</b>	<b>16,2</b>	<b>16,2</b>	<b>16,4</b>	<b>15,7</b>	<b>15,0</b>	<b>14,5</b>	<b>14,0</b>	14,1	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	
											<b>HHI</b>	<b>7 410</b>	<b>7 470</b>	<b>5 770</b>	<b>5 540</b>	<b>5 170</b>	<b>4 720</b>	<b>4 460</b>	<b>4 760</b>	<b>5 160</b>	<b>5 510</b>

(1) The shares of SPE and EDF Luminus have been combined since 2010, following the takeover of SPE by EDF.

Table 7: Wholesale market shares in power generated (Sources: Elia data, CREG calculations)

	Power generated (TWh)										Market share (%)										
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	
Electrabel	65,8	70,3	62,7	58,9	50,7	49,9	40,7	37,2	55,0	54,4	85%	82%	72%	73%	71%	71%	68%	67%	79%	77%	
EDF-Luminus <sup>(1)</sup>	9,4	12,2	12,2	9,3	8,5	8,6	7,6	6,6	6,5	7,8	12%	14%	14%	12%	12%	12%	13%	12%	9%	11%	
E.ON	0,0	0,5	8,8	8,5	7,8	6,9	6,3	4,6	0,9	0,0	0%	1%	10%	11%	11%	10%	11%	8%	1%	0%	
T-Power	0,0	0,0	0,0	1,0	0,5	0,4	1,4	2,2	2,6	2,5	0%	0%	0%	1%	1%	1%	2%	4%	4%	4%	
Other (<3%)	2,2	2,6	3,0	2,8	4,4	4,9	4,0	5,1	4,9	5,5	3%	3%	3%	4%	6%	7%	7%	9%	7%	8%	
<b>Total</b>	<b>77,4</b>	<b>85,5</b>	<b>86,6</b>	<b>80,5</b>	<b>71,9</b>	<b>70,7</b>	<b>59,9</b>	<b>55,8</b>	<b>69,9</b>	<b>70,2</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	
											<b>HHI</b>	<b>7 299</b>	<b>6 868</b>	<b>5 439</b>	<b>5 599</b>	<b>5 242</b>	<b>5 223</b>	<b>4 893</b>	<b>4 679</b>	<b>6 303</b>	<b>6 152</b>

(1) The shares of SPE and EDF Luminus have been combined since 2010, following the takeover of SPE by EDF.

### 3.2.2.3. Energy exchange

#### •The Epex Spot Belgium power exchange

Ten years after its introduction, the Belgian electricity exchange Belpex was taken over by Epex Spot, an electricity exchange originating in France, on 17 April 2015. The name Belpex was subsequently changed to Epex Spot Belgium. The integration of Belpex into the Epex Spot group led to the harmonisation of market rules, admission requirements and trading systems within the CWE region.

Following the operational integration during the course of 2016, the integration of trading systems was finalised in 2017. The daily market trading system, Pan-European Hybrid Electricity Market Integration Algorithm (EUPHEMIA), was replaced by the Emission Trading System (ETS) of Epex Spot on 24 January. The intraday market trading system, which was already in place on 4 October 2016, was updated to a newer version on 14 November 2017.

#### •The Nord Pool electricity exchange

On 17 July 2017, Nord Pool, with registered offices in Norway, was recognised as the market operator for the exchange of energy blocks in accordance with the provisions of the Royal Decree of 20 October 2005 on the establishment and organisation of a Belgian market for the exchange of energy blocks.<sup>79</sup> This nomination allows Nord Pool to develop and offer products for the strategic reserve. Prior to this nomination, Nord Pool had already been authorised to develop products for trading on the Belgian daily and intraday markets, as a result of being Nominated Electricity Market Operators (NEMOs) from 28 January 2016 onwards.

#### •CWE market coupling

On 24 January 2017, the Belgian daily market trading platform migrated from Euphemia to the ETS used by EPEX SPOT. Using the same trading platform as the one used in, inter alia, the Netherlands, France and Germany, further promoted market coupling between the Belgian market and the other markets in the CWE region. Despite gradual market coupling, price convergence in the CWE region has still not materialised. This can be explained by various factors, including the unavailability of nuclear power plants in France and, more prominently, the priority access to loop flows: flows resulting from commercial exchanges which are not in competition with cross-border commercial exchanges between bidding zones but which, like the latter, also use the transmission system which connects bidding zones (see study (F)1687 by the CREG).

In 2017, the average daily market price in Belgium was €44.7/MWh, slightly less than the €45.0/MWh in France. In comparison, this was still €36.7/MWh in 2016. The average German daily market price in 2017 also rose compared to 2016, but at €34.2/MWh remained the lowest in the CWE region. The average daily market price in the Netherlands was €39.3/MWh in 2017.

In general terms, the highest average prices over the period studied (2007-2017) were seen in the CWE region in 2008, the year of the financial crisis. Average prices then fell until the summer of 2016. From October 2016 to February 2017, average daily market prices in Belgium and France reached similar levels to those in 2008, while those in the Netherlands and Germany increased to a much lesser extent.

During the summer period, average daily market prices fell sharply, before rising sharply again from September 2017 onwards.

In 2017, the proportion of hours in which there was price convergence fell in the entire CWE region (with a margin of €1/MWh) to 37.9%, compared to 39.2% in 2016. Price convergence with France occurred in 54.0% of the hours, whereas with the Netherlands the figure was only 13.2% and with Germany 10.5%. For 35.9% of the hours, Belgium had no price convergence with any of its neighbouring countries. This is an increase compared to the 27.5% recorded in 2016.

Following two informal requests regarding the outcome of Belpex DAM on 6 April and 11 April 2017, the CREG published, on 30 June 2017, its analysis of day-ahead prices for delivery at 12.00pm on 6 April 2017 and at 10.00am on 11 April 2017 (memorandum (Z)1633).

On its own initiative, the CREG analysed the causes of the conspicuous daily market prices for delivery on 1 May 2017. In the memorandum published by the CREG on 17 July 2017, the main reasons it found were incorrect bidding from a market participant and Belgium's extremely low commercially available import capacity as a result of grid restrictions in the Netherlands and Germany. These foreign grid restrictions prevented optimal interconnection of the electricity markets in the CWE region. As a result, the Belgian market was priced up to €100/MWh higher than that of Germany.

The total volume traded on the Epex Spot Belgium daily market was 17.9 TWh, compared to 16.6 TWh in 2016 and 23.7 TWh in 2015. This equates to approximately 23.1% of total offtake from the Elia grid.

<sup>79</sup> Ministerial Decree of 17 July 2017 on the recognition of Nord Pool NV as market operator for the exchange of energy blocks (Belgian Official Journal of 24 November 2017).

### 3. The electricity market

The sensitivity of the electricity price on the daily market to additional offtake volumes (market depth) is an important factor. The greater the sensitivity, the more easily the price can be manipulated. The monthly average relative increase or decrease in the price if an additional 500 MW was bought or sold was higher in January (€6.0/MWh) and in September (€9.5/MWh) than in the rest of the year.

The intraday market provides market participants with the possibility to manage their unexpected changes in expected injection or offtake after the closure of the day-ahead market via a public market.

Unexpected changes include, for instance, the unexpected unavailability of a generating plant, but also changes resulting from updated forecasts of wind and solar energy injections. The introduction of EpeX Spot's M7 system in October 2016 facilitated trade on the Belgian intraday market by linking the Belgian market to that of Germany, France, Austria and Switzerland. The total traded volume on the intraday market rose to 1,991 GWh in 2017. This is a rise of 83% compared to 2016. The average intraday price rose by 21% to €45.7/MWh in 2017.

The wholesale prices for short and long-term contracts rose in 2017. The contracts for supply the following year had an average price of €37.3/MWh, representing an increase of 12% compared to 2016 (€33.4/MWh). In 2017, the average daily market price was higher than the average price of the year-ahead contract with delivery in 2017 (i.e. trade during 2016). The average daily market price in 2017 was €44.6/MWh compared to €33.4/MWh for contracts traded in 2016 for delivery the following year. The last time the average daily market price was higher than the average price of the year-ahead contract was in 2008.

Figure 12: Average monthly prices for the period 2007-2017 of the daily market for delivery of electricity in the countries of the CWE region (Sources: EpeX Spot Belgium, EPEX Spot, CREG calculations)



### 3. The electricity market

Figure 13: Average annual prices of the daily market for the supply of electricity in the countries of the CWE region for the period 2007-2017 (Sources: Belpex, EPEX Spot, CREG calculations)

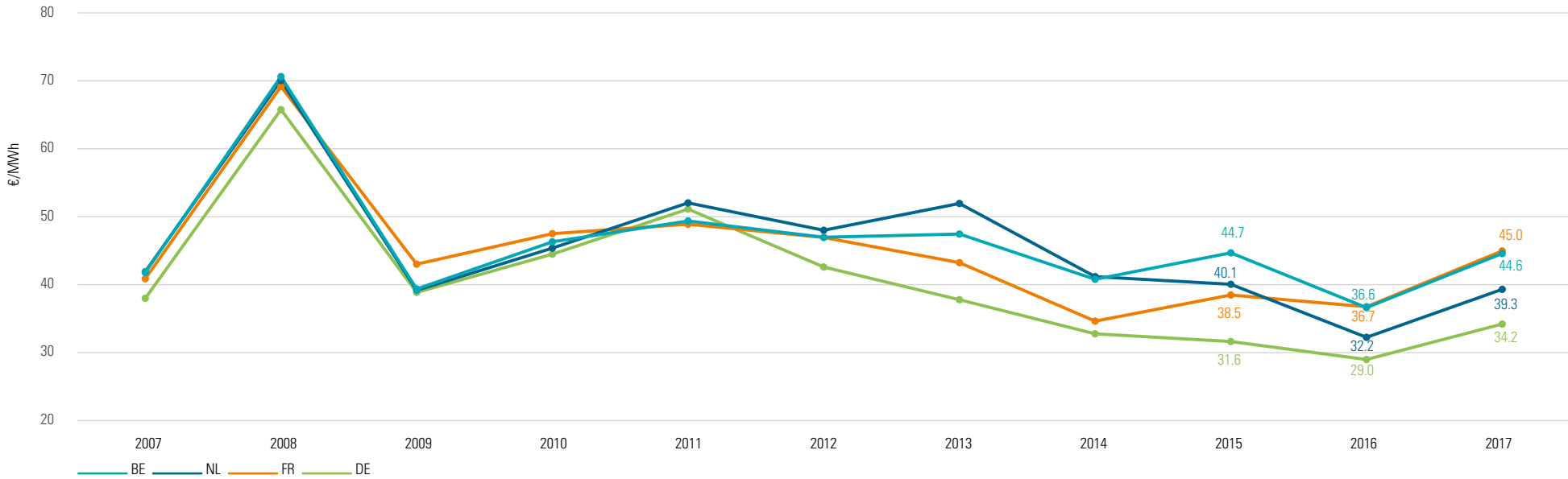
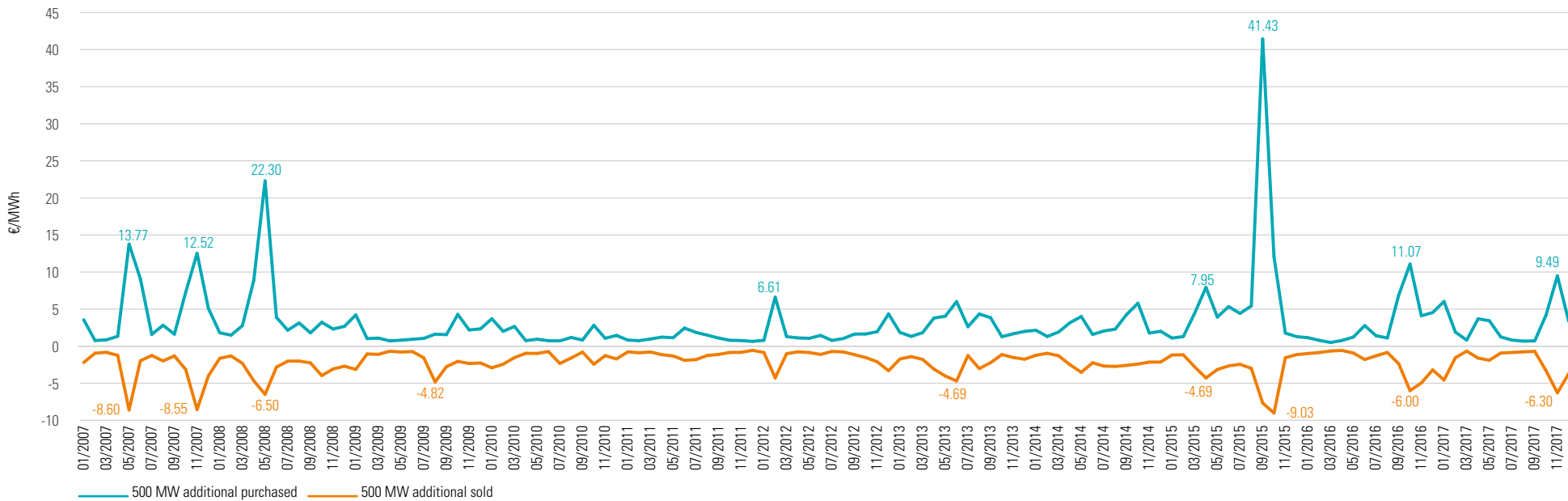


Figure 14: Average monthly strength of the Epex Spot Belgium market between 2007 and 2017 (Sources: Epex Spot Belgium, CREG calculations)



### 3. The electricity market

Figure 15: Energy traded and average price on the intraday exchange (Source: Epex Spot Belgium, CREG calculations)

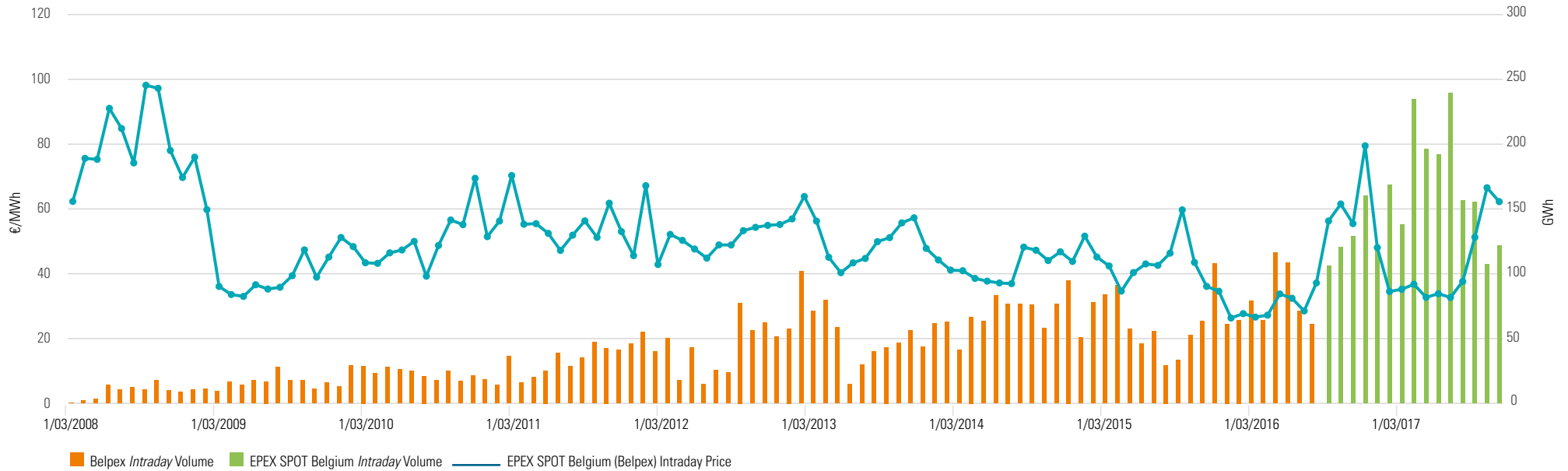
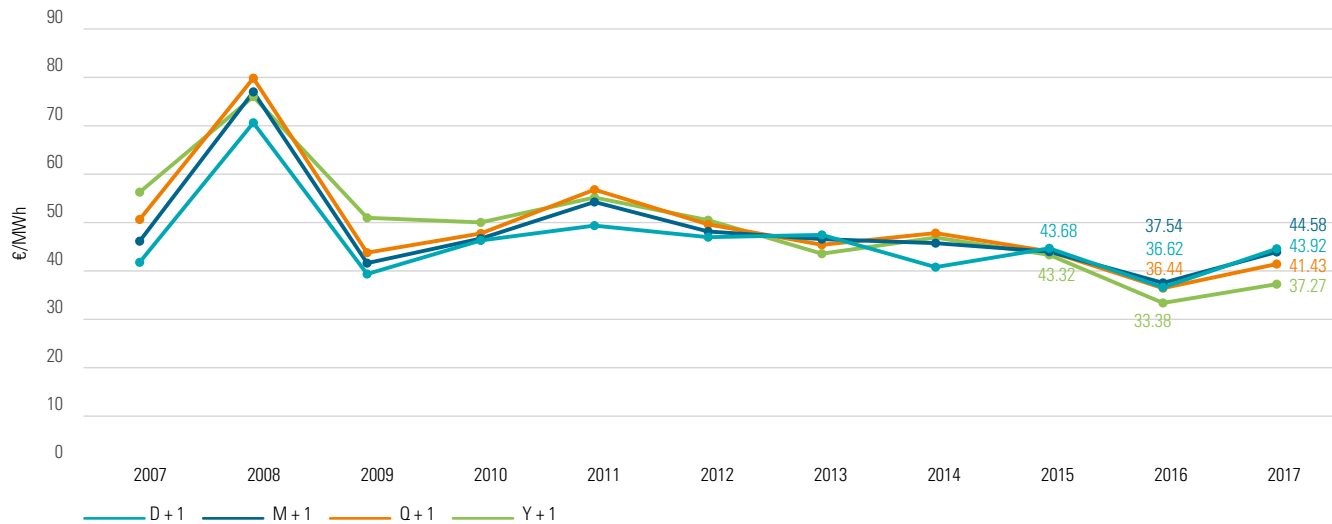


Figure 16: Comparison of wholesale prices for short-term and long-term contracts (Sources: Epex Spot Belgium, Epex Spot, ICE Index, CREG calculations)



### 3.2.2.4. Measures for improved operation of the wholesale market

In September 2017, at the request of the Minister for Energy, the CREG updated its memorandum of 2016 on measures to improve the functioning of the wholesale market.<sup>80</sup> The updated memorandum highlights the areas where the Belgian electricity market evolved in 2017 compared to the previous year. It set out the state of play on a number of proposals and initiatives which were addressed in the original memorandum.

### 3.2.2.5. Transparency, REMIT and financial instruments

The 2008 financial crisis highlighted the weaknesses of financial markets. The crisis resulted in new, more binding regulatory measures being introduced more quickly, which were incorporated into three European legislative texts.

In a study dated 5 October 2017<sup>81</sup> the CREG set out the legislative texts regarding transparency, REMIT and the financial instruments in an informative manner. By regulating these issues with legislation, Europe intends to achieve the transparency of financial markets through monitoring organised by its own actors. When this monitoring becomes operational, it will complement the monitoring carried out by the CREG on a regular basis at national level.

### 3.2.2.6. REMIT

The REMIT regulation (Regulation on wholesale Energy Market Integrity and Transparency)<sup>82</sup> sets out a series of instructions aimed at preventing and punishing manipulations in the wholesale energy market.

Since 28 December 2011, market players have had to comply with REMIT's basic rules, but the creation of coordinated monitoring structures (registering market players, data collection, and monitoring) did not become operational until 2015. Since 7 July 2016, all contracts concluded by market players before 7 April 2016 and all new contracts, must be declared to ACER. Market players also need to keep their registration data up to date for all changes to the registration platform, including changes in structure, responsible persons etc.

In 2017, the CREG validated the various changes to registration and helped market players with their registration or other questions concerning REMIT.

In 2017, the CREG also set out its security policy as regards REMIT. In April 2017, it then undertook a peer review for ACER and the other regulators, in order to validate this security policy and obtain the data collected by ACER. At the end of 2017, the CREG had not yet received written approval from ACER to obtain these data.

Finally, in 2017, the CREG conducted various investigations on 13 potential cases of breaches of the REMIT Regulation, of which six were concluded, or referred to another authority. In 2017, the CREG drafted a memorandum for two of the six investigations.

The first investigation related to a possible breach of article 3 of REMIT. The analysis showed that information had been published ineffectively.

After the market participant had remedied the breach, the CREG decided not to take any sanctioning measures.<sup>83</sup>

The second investigation related to a possible breach of article 5 of REMIT. The analysis did not provide sufficient evidence to judge that the operator in question may have attempted to give false or misleading signals, to keep the price at an artificial level or to use fraud or deception.<sup>84</sup>

### 3.2.2.7. Charter of best practices for electricity and gas price comparison websites

By means of sampling, in 2017 the CREG continued to monitor compliance with its charter of best practices for electricity and gas price comparison websites by the service providers that signed it.

On 31 December 2017 five price comparison websites carried the label of the charter. These were VREG V-test (Flanders), CWaPE COMPACWaPE (Wallonia), BRUGEL BruSim (Brussels), Mijn Energie (Belgium) and Energie-Vergelijker (Belgium).

In May 2017, the CREG organised a public consultation on its draft decision to adapt the charter of best practices for electricity and gas price comparison websites. The CREG is currently examining the new guidelines to be followed in the future.

80 Memorandum (Z)1651 on measures aimed at improved market operation: update of Memorandum (Z)160711-CDC-1546.

81 Study (F)1637 on the application of European and Belgian legislation in the context of the transparency of the Belgian wholesale markets for electricity and natural gas.

82 Regulation (EU) No 1227/2011 of the European Parliament and of the Council on wholesale energy market integrity and transparency.

83 Memorandum (Z)1634.

84 Memorandum (Z)1666.

#### 3.3. Consumer protection

In 2017, the CREG continued to stress the consumer protection aspect of its work.

##### • CREG Scan

In February 2017, the CREG launched a new online tool for private individuals and SMEs: the CREG Scan. This online tool is a first for Europe. With the CREG Scan, Belgium is the first country in which consumers can compare their electricity and natural gas contracts with all other contracts, even if they are no longer available on the market. The CREG Scan is easy to use and is complementary to existing price comparison websites, which only compare active electricity and natural gas products. The tool is aimed at ensuring that consumers make informed decisions and, especially, that they have full information.

##### • Revision of the consumer agreement

As part of the revision of the consumer agreement, the CREG issued a new opinion<sup>85</sup> in February 2017 on a proposal for a resolution to amend the agreement 'De consument in de vrijgemaakte elektriciteits- en gasmarkt' (Consumers in the liberalised electricity and gas markets). In it, the CREG provides a series of clarifications and improvements on terminology and describes a number of problems (tacit renewal of contracts, separate invoicing of additional services, comparability of contracts, specific problems of SMEs, etc.) encountered by electricity and gas consumers, in more detail.

On 28 June 2017, the Minister of Work, Economy and Consumers and the energy suppliers signed a new agreement: 'De consument in de vrije elektriciteits- en gasmarkt' (The consumer in the free electricity and gas market). The provisions of this new agreement entered into force on 1 January 2018.

##### • Simplification of the energy bill

In 2017, the CREG, as an expert party, participated in the multi-stakeholder consultation organised by the King Baudouin Foundation, on the possible simplification of the energy bill.

As part of the project, various workshops focused on the following themes: identifying best practices as regards energy bills, proposing simplified bills and testing these proposals with consumers with a view to ultimately arriving at a number of specific recommendations for a simpler energy bill.

##### • Charter

As part of its consumer protection mission, the CREG continued to monitor compliance with the provisions of the charter of best practices for price comparison websites in 2017 (see section 3.2.2.7 of this report).

##### • Consumer information

In 2017, the CREG continued to inform consumers, in particular about prices and their evolution, among other things via:

- the annual study into the evolution of the components of electricity and natural gas prices (see points 3.1.3.5 and 3.2.1.1 of this report);
- the annual report into the safety net mechanism which mainly relates to identifying possible distorting effects on the electricity and natural gas market caused by the safety net mechanism (see point 3.2.1.2 of this report);
- the study into electricity supply to major industrial customers in Belgium in 2016, with the aim of improving the transparency of the supply of electricity to major industrial customers (see point 3.2.1.1. of this report);
- infographics and monthly dashboards for electricity and natural gas (see point 3.2.1.2 of this report);
- the monthly publication of quoted gas prices TTF101 and TTF103;
- the processing of enquiries and complaints received from consumers (see point 5.4 of this report).

Finally, readers are referred to the work carried out by the CREG in a number of working groups dealing with aspects relating to consumer protection in the field of energy (see point 5.7 of this report).

<sup>85</sup> Opinion (A)1611 on the proposal for a resolution on the amendment of the agreement 'De consument in de vrijgemaakte elektriciteits- en gasmarkt' (Consumers in the liberalised electricity and gas markets) and on enhancing the protection of electricity and gas consumers, submitted by Mr Michel de Lamotte, Mrs Catherine Fonck and Mr Benoît Lutgen.



### 3.4. Security of supply

#### 3.4.1. Monitoring the balance between supply and demand

- Demand<sup>86</sup>

The load on the Elia grid was 77.41 TWh in 2017, compared with 77.30 TWh in 2016, equating to an increase of 0.1% between 2016 and 2017.

Table 8: Elia grid load (power and peak capacity) for the period 2007-2017 (Source: Elia, 2017; provisional data)

	Power (GWh)	Peak capacity (MW)
2007	86 619	14 033
2008	87 760	13 431
2009	81 575	13 513
2010	86 501	13 845
2011	83 350	13 201
2012	81 717	13 369
2013	80 534	13 446
2014	77 161	12 736
2015	77 184	12 634
2016	77 295	12 734
<b>2017</b>	<b>77 414</b>	<b>12 867</b>

- Installed capacity and generated power

During the course of 2017, the installed generation capacity connected to the Elia grid in Belgium that was not part of the strategic reserve increased compared with 2016, from 13,978 MW to 14,502 MW. This increase was mainly due to the increase in the installed capacity of offshore wind farms, after deduction of the definitive decommissioning of a unit of 52 MW. At the end of 2017 the total generation capacity that was part of the strategic reserve was 750 MW (units at Seraing and Vilvoorde).

Table 9: Breakdown by plant type of installed capacity connected to the Elia grid as of 31 December 2017 (Source: Elia)

Power plant type	Installed capacity	
	MW	%
Nuclear plants	5 919	42.1
CCGT and gas turbines	3 736	26.6
Conventional power plants	315	2.2
Cogeneration	807	5.7
Incinerators	247	1.8
Diesel engines	5	0.0
Turbojets	195	1.4
Hydro (excluding pumping power plants)	86	0.6
Pumping power plants	1 308	9.3
Onshore wind farms	187	1.3
Offshore wind farms	878	6.2
Biomass	385	2.7
<b>Total</b>	<b>14 069</b>	<b>100.0</b>

Table 10: Breakdown by primary energy type of electricity generated in 2016 by plants located on sites connected to the Elia grid

Primary energy	Power generated	
	GWh	%
Nuclear <sup>1</sup>	40 187	56.0
Natural gas <sup>1</sup>	18 836	26.2
Coal <sup>1</sup>	26	0.0
Fuel <sup>1</sup>	11	0.0
Other self-generated power consumed locally <sup>3</sup>	1 693	2.4
Hydro (including pumping power plants) <sup>1</sup>	1 273	1.8
Other <sup>1</sup>	9 875	13.8
<b>Total<sup>2</sup></b>	<b>71 900</b>	<b>100.0</b>

1 Source: Elia, provisional data

2 Source: Synergrid, provisional data

3 Source: CREG calculations (values not supplied by Elia)

#### 3.4.2. Monitoring of TSO investment plans

Based on the development plan for the electricity transmission system, the CREG continued to monitor the planned investments in the system infrastructure in 2017.

This plan is drawn up by electricity transmission system operator Elia in conjunction with the Directorate-General for Energy and the Federal Planning Bureau.

<sup>86</sup> The question under consideration here is the Elia grid load, calculated as the balance of net power generation injected into the Elia grid, imports and exports, minus the energy pumped by pumping power plants. It is therefore the sum of net offtake plus network losses.

### 3.4.3. Operational security of the grid

The graph below illustrates the changes in the maximum physical load for the interconnectors with France and the Netherlands. This physical load is a combination of flows resulting from commercial imports to and exports from Belgium and of flows resulting from transit through the Belgian network.

The maximum physical flows recorded in 2017 were lower than those recorded in 2016. In 2016 the highest values were recorded in the past 10 years, both on the interconnectors with France and the Netherlands, and in both directions.

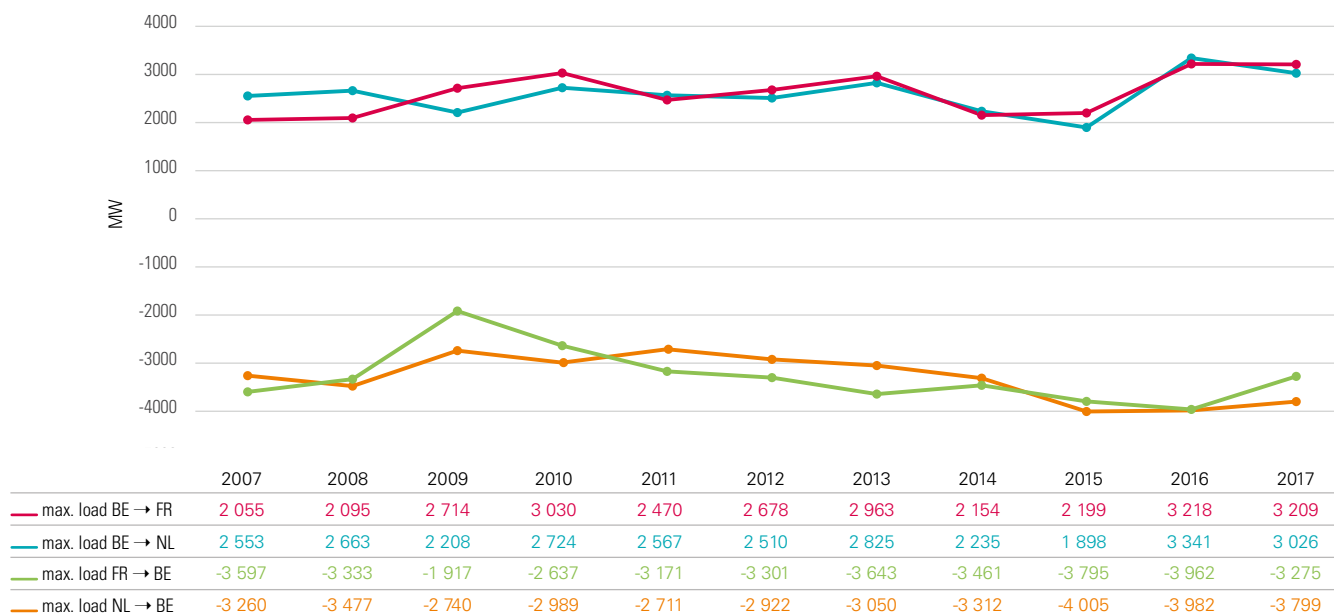
In 2017, the maximum peak flow on the Dutch border towards the Netherlands (exports) was 3,026 MW, compared to 3,341 MW in 2016. This peak was recorded on 15 August, when France and Belgium together exported 4,567 MW to the Netherlands and Germany. Belgium exported 523 MW at the time.

The maximum peak flow of 3,799 MW at the Dutch border in the direction of Belgium (import) was recorded on 16 January 2017, when Belgium and France together imported 6,766 MW from Germany and the Netherlands. Belgium imported 2,200 MW at the time.

The maximum peak flow of 3,209 MW on the French border towards France (export) took place on 25 November 2017, when France imported 8,129 MW, from Belgium (46 MW), the Netherlands (2,483 MW) and Germany/Luxembourg/Austria (5,600 MW). The peak flow on the French border towards Belgium (imports) was recorded on 4 April with a maximum of 3,275 MW, well below the level of 2016. At the time, France exported 4,180 MW to Belgium (2,669 MW), the Netherlands (1,102 MW) and Germany/Luxembourg/Austria (409 MW).

These maximum values were recorded during hours when the loop flows charged by Elia in the calculation of the day-ahead capacity calculations (see Elia website) were relatively low, i.e. between 26 MW and 447 MW, as opposed to the annual average of 840 MW in the north-south direction. This implies that the physical capacity utilisation of the interconnectors is at its maximum at low loop flows.

Figure 17: Changes between 2007 and 2017 in the maximum physical load for the interconnections with France and the Netherlands (Source: CREG, based on Elia data)



### 3.4.4. Investment in cross-border interconnections

The high-voltage grid needs to permanently evolve to meet the needs of consumers and the market, and to guarantee security of supply. Strengthening interconnections at European level is one of the major challenges for achieving these objectives.

Most of these projects have been included in the European Commission's list of Projects of Common Interest (PCI), confirming their general importance in the context of European energy policy and the need to strengthen the electrical infrastructure derived from it.

#### • Planned strengthening of the northern border (Brabo project)

The Brabo project is part of the strengthening of the Belgian electricity network and is necessary to safeguard supply for all of Belgium and in particular of the Antwerp Seaport area.

During 2016, the second Zandvliet phase shifter<sup>87</sup> was erected in a configuration in parallel with an upgrade of the second Doel-Zandvliet circuit from 150 to 380 kV. In the scenarios studied with a maximum output of 2,000 MW at Doel, these investments will increase interconnection capacity at the northern border from the Netherlands by about 1,000 MW. Elia estimates that if Doel's production exceeds 2,000 MW, the additional northern border interconnection capacity of 1,000 MW will only be fully used after the completion of the second and third phases of the Brabo project.

The second phase provides for the installation of a new 380 kV high-voltage line between the existing high-voltage substations at Zandvliet and Lillo and the Scheldt crossing at Liefkenshoek. The works of the second phase started in 2017 and are scheduled to be completed in 2020.

In the third phase the existing 150 kV connection from Liefkenshoek will be modernised and upgraded to 380 kV. This line runs from Liefkenshoek (municipality of Beveren) via the Kallo high-voltage station (municipality of Beveren) to the Mercator high-voltage station (municipality of Kruikebeke). These works will commence upon completion of the second phase.

#### • Planned strengthening of the southern border

In the medium term, the links with France will require structural reinforcements to continue to facilitate the operation of the market. The planned reinforcement involves replacing, by 2022, the existing conductors between the Horta (Zomergem)-Avelgem-Avelin/Mastaine (FR) axis with so-called 'high-performance' conductors<sup>88</sup>, in order to increase the south border capacity by about 1,000 MW.

#### • Planned interconnection between Belgium and the United Kingdom (NEMO project)

The NEMO project involves the construction of a 1,000 MW direct current submarine cable about 140 km long. This project will connect Richborough in the UK to the 'Gezelle' substation, which is part of the Stevin project erected in Bruges.

For Belgium, this means that energy can be exchanged directly with the UK, which should lead to greater security of supply in view of the diversification engendered by a new interconnection.

Construction started in mid-2016. The technical completion of the new connection is planned for early 2019, after which its commercial operation can start.

#### • Planned interconnection between Belgium and Germany (ALEGrO project)

In this project, named ALEGrO (Aachen Liège Electric Grid Overlay), a DC cable with a capacity of about 1,000 MW will be installed over a distance of about 90 km between the substations of Lixhe (Visé) in Belgium and Oberzier in Germany.

This new interconnection will contribute, mainly through the market diversification offered through direct energy exchange between Belgium and Germany, to an increase in security of supply and will also facilitate further market integration, which will result in price convergence within the CWE region.

Moreover, ALEGrO can play an important role in the integration of an increasing number of renewable energy sources.

The contracts for the transformer stations and the cable connection were awarded in the second half of 2016. The necessary permits were granted at the end of 2017, so that the works can start at the

beginning of 2018, with a view to technical delivery at the end of 2019 and commercial operation from 2020 onwards.

#### • Interconnector BeDeLux

Elia, Creos (the Luxembourg TSO) and Amprion (a German TSO) are working on the interconnection of their networks. This project was named Interconnector BeDeLux. Its aim is to improve the security of supply of the Grand Duchy of Luxembourg and to create a commercial interconnection between the Belgian and the German markets.

In a first phase, Creos installed a 400MVA/220kV phase shifter at the Schiffflange high voltage station (Luxembourg). Thanks to a better management of energy flows in the current network, this phase shifter will mainly contribute to the security of supply of the Grand Duchy of Luxembourg.

After a thorough study and analysis of detailed data on the expected impact of the implementation of a new phase shifter of Creos on the day-ahead market, the project group (comprising Elia, Creos and Amprion) decided to postpone the commercial operation of the new BeDeLux interconnector.

The current simulations from the impact analysis indicate that the impact on prosperity in Central Western Europe would be neutral, while the operational processes would become much more complex. Additional analyses are required to guarantee that the necessary safety margins within the day-ahead period are not put at risk. The decision regarding the commercial operation of the new Creos phase shifter will be assessed after a one-year test phase, which started immediately after the technical completion of the system (October 2017). This will be based on a thorough assessment of the impact analysis and the technical parameters, and the lessons from the actual real-time use will be taken into account.

<sup>87</sup> The fourth on the northern border: two at Zandvliet and two at the Van Eyck substation at Kinrooi.

<sup>88</sup> High-performance or HTLS (high-temperature low-sag) conductors expand less than conventional conductors when operating at higher temperatures. A higher power flow can therefore be transported in the conductors and connection capacity is thereby increased.

#### 3.4.5. Measures to cover peak demand and deal with shortfalls

##### 3.4.5.1. Strategic reserve: winter period 2017-2018

On 13 January 2017, the Minister for Energy ruled that the transmission system operator (Elia) should establish a strategic reserve for a period of three years from 1 November 2017 for a volume of 900 MW. After taking into account the return of generation units to the market, the Royal Decrees of 31 October 2017 imposing price and volume conditions for the supply of the strategic reserve from 1 November 2017 reduced the contracted volume to 725 MW for a period of one year.

The Electricity Act stipulates that the transmission system operator (Elia) must lay down the procedures for establishing the strategic reserve after consultation with grid users, the CREG and the Directorate General for Energy.

The CREG formulated a number of remarks<sup>89</sup> to the proposal for a procedure for the establishment of strategic reserves for the winter period 2017-2018 that were submitted by Elia for consultation.

The Electricity Act also stipulates that Elia must submit the operating rules for the strategic reserve to the CREG for approval. In 2017, the CREG organised a public consultation on the proposal for operating rules and on its draft decision. In its decision of 9 February 2017<sup>90</sup> the CREG approved Elia's proposal, subject to several adjustments.

On 23 March 2017, the CREG organised a public consultation on the proposal of an addendum for operating rules and on its draft decision. It received seven responses, all of which were added to the decision of 7 April 2017. With this decision, the CREG approved Elia's proposal subject to a number of adjustments.<sup>91</sup> The approved operating rules will apply from the entry into force of the Royal Decrees of 31 October 2017.

Subsequently, on 13 July 2017, the CREG issued an opinion ((A) 1630) on whether or not the prices offered to Elia System Operator NV for the supply of the strategic reserve in response to the call for tenders of 2017, were manifestly unreasonable.

The tariff of the public service obligation 'strategic reserve' amounted to €0.1902 net per MWh taken off in 2017.

In its decision of 14 December 2017<sup>92</sup> the CREG approved Elia's proposal to adapt this tariff. The new tariff (€0.4298/MWh) will be applicable from 1 January 2018.

##### 3.4.5.2. Access to demand management

###### • Participation of the flexibility of demand in the electricity markets in Belgium

Following the enactment on 13 July 2017 of the law amending the Law of 29 April 1999 on the organisation of the electricity market with a view to improving demand flexibility and the storage of electricity, the CREG drew up a draft decree implementing Article 19bis, §§ 3 to 5 of the Law of 29 April 1999 to enable the transfer of energy. This draft decision will

be the subject of a public consultation in early 2018. The CREG also participated in a consultation with Elia regarding the implementation of article 19bis, § 2 of this law. In 2018, Elia will submit the rules for organising the transfer of energy via a flexible service provider to the CREG for approval.

###### • Analysis of Elia's study into electricity scenarios for Belgium by 2050

In its memorandum (Z)1706 of 30 November 2017, the CREG formulated a non-exhaustive list of factual remarks on the Elia study *Electricity scenarios for Belgium towards 2050 Elia's quantified study on the energy transition in 2030 and 2040* which was published on 15 November 2017.

89 Memorandum (Z)1607 on the proposal for a 'Strategic Reserve Procedure' submitted by Elia System Operator NV for consultation.

90 Decision (B)1598 on the proposal of Elia System Operator NV on the operating rules of the strategic reserve applicable from 1 November 2017.

91 Decision (B)1619 on the proposal of Elia System Operator NV introducing an addendum to the operating rules of the strategic reserve applicable from 1 November 2017.

92 Decision (B)658E/48 on the request for approval of the updated tariff proposal for the application from 1 January 2018 of the tariffs for the financing of the public service obligations of the Strategic Reserve, submitted by Elia System Operator NV.



## 4.1. Regulation

### 4.1.1. Natural gas supply

#### 4.1.1.1. Federal natural gas supply licences

The supply of natural gas to customers (distribution companies or end customers whose gas offtake at each supply point permanently amounts to a minimum of one million m<sup>3</sup> per year) established in Belgium is subject to the prior granting of an individual licence issued by the Minister for Energy (except when it is carried out by a distribution company on its own distribution system).

The application dossiers for federal natural gas supply licences are sent to the CREG, which examines the criteria and then sends its opinion to the Minister for Energy.

In 2017, the CREG issued seven opinions to the Minister in response to applications for supply permits for natural gas originating from Total Gas & Power Ltd, Direct Energie S.A., Direct Energie Belgium S.A., Wingas GmbH, Eneco België bv, Powerhouse bv, Novatek Gas & Power GmbH.<sup>93</sup>

During the course of 2017, the Minister for Energy issued an individual supply permit for natural gas to seven companies (Wingas GmbH<sup>94</sup>, Direct Energie Belgium S.A.<sup>95</sup>, Direct Energie S.A.<sup>96</sup>, Eneco België bv<sup>97</sup>, Novatek Gas & Power GmbH<sup>98</sup>, Total Gas & Power Limited<sup>99</sup> and Powerhouse bv<sup>100</sup>).

Table 11: Companies operating in the Belgian market in natural gas transmission in 2017 - Change compared to 2016 (Source: CREG)

VOLUME TRANSPORTED IN BELGIUM (INTWH)* MARKET SHARE IN BELGIUM (IN %)	2016		2017		Δ2017/2016	
	TWh	%	TWh	%	(%)**	(%-point)***
ANTARGAZ FINAGAZ NV	0.98	0.54	1.16	0.64	19	0.1
ARCELORMITTAL ENERGY CVA	4.44	2.47	4.61	2.54	4	0.1
AXPO TRADING AG			0.20	0.11		0.1
BELGIAN ECO ENERGY NV	0.10	0.06	0.10	0.06	1	0.0
DIRECT ENERGIE NV	0.37	0.20	3.55	1.95	865	1.7
EDF LUMINUS NV	17.97	10.02	19.20	10.55	7	0.5
ENECO ENERGY TRADE BV	2.31	1.29	5.99	3.29	159	2.0
ENGIE ELECTRABEL NV	1.96	1.09	0.00	0.00	-100	-1.1
ENI S.P.A.	62.04	34.57	58.27	32.02	-6	-2.6
ENOVOS LUXEMBOURG S.A.	40.86	22.77	31.81	17.48	-22	-5.3
ESSENT SALES PORTFOLIO MANAGEMENT BV	0.15	0.09	0.62	0.34	297	0.3
EUROPEAN ENERGY POOLING BVBA	0.67	0.37	1.87	1.03	179	0.7
GAS NATURAL EUROPE SAS	4.51	2.51	7.08	3.89	57	1.4
GETEC ENERGIE AG	0.30	0.17	0.35	0.19	18	0.0
LAMPIRIS NV	6.75	3.76	4.19	2.30	-38	-1.5
NATGAS AKTIENGESELLSCHAFT	1.42	0.79	1.41	0.77	-1	0.0
PROGRESS ENERGY SERVICES BVBA	0.75	0.42	1.80	0.99	140	0.6
RWE SUPPLY & TRADING GMBH	9.84	5.48	9.05	4.98	-8	-0.5
SOC. EUROP. DE GESTION DE L'ENERGIE S.A.	1.88	1.05	2.42	1.33	29	0.3
STATOIL ASA	6.47	3.61	5.44	2.99	-16	-0.6
TOTAL GAS & POWER LTD	1.99	1.11	5.29	2.91	166	1.8
UNIPER GLOBAL COMMODITIES SE	0.56	0.31	0.46	0.25	-17	-0.1
VATTENFALL ENERGY TRADING NETHERLANDS NV	5.62	3.13	6.32	3.47	13	0.3
WINGAS GMBH	7.52	4.19	10.80	5.93	44	1.7
<b>FINAL TOTAL</b>	<b>179.4</b>	<b>100.0</b>	<b>182.0</b>	<b>100.0</b>	<b>1.4</b>	

\* These figures only relate to supplies to customers connected to the natural gas transmission system and to the offtake points on the distribution systems.

For separate statistics on supplies to customers connected to the natural gas transmission and distribution systems, please consult the joint publication of the four energy regulators on the CREG website ([www.creg.be](http://www.creg.be)).

\*\* Relative change in 2017 compared with 2016 (2016 is the baseline).

\*\*\* Absolute change in market share.

93 Opinions (A)1640, (A)1649, (A)1662, (A)1663, (A)1670, (A)1692 and (A)1702.

94 Ministerial Decree of 18 October 2017 (Belgian Official Journal of 26 October 2017).

95 Ministerial Decree of 12 October 2017 (Belgian Official Journal of 24 October 2017).

96 Ministerial Decree of 12 October 2017 (Belgian Official Journal of 24 October 2017).

97 Ministerial Decree of 10 August 2017 (Belgian Official Journal of 18 August 2017).

98 Ministerial Decree of 21 June 2017 (Belgian Official Journal of 3 July 2017).

99 Ministerial Decree of 8 December 2017 (Belgian Official Journal of 21 December 2017).

100 Ministerial Decree of 15 December 2017 (Belgian Official Journal of 21 December 2017).

In 2017, total natural gas consumption<sup>101</sup> amounted to 182.0 TWh, representing an increase of 1.4% compared with consumption in 2016 (179.4 TWh). There was slightly lower consumption for end consumers connected to the distribution systems (+1.2%), a slight increase in consumption for the generation of electricity (possibly combined with heat production) (+3.6%) and a slight increase in consumption by industrial customers (+4.9%).

The number of companies providing supply services on the wholesale natural gas market remained stable in 2017. Taking into account the merging of transmission operations within a business of the same group, 23 companies were active on the Belgian transmission market last year.

The top 3 supply companies were also the same in 2017. Their respective positions also remained the same. Engie Electrabel remains in first place, but its market share fell from 34.6% to 32.0% (2.6%). Eni Gas & Power holds on to second place and has once again seen its market share fall slightly by 5.3% to 17.5%. Eni Gas & Power experienced the sharpest drop in market share. EDF Luminus increased their share by 0.5%, boosting its market share to 10.6%. The top 3 market players have a combined market share of just under 60%.

Wingas grew by 1.7% to 5.9% and took fourth place from RWE Supply & Trading, which lost 0.5% market share, and is now fifth with just 5%. There are 5 market players with a market share higher than 5%.

Gas Natural Fenosa grew strongly by 1.4% to 3.9%. Vattenfall Energy Trading Netherlands's market share grew slightly (+0.3%) to 3.5%. Eneco België BV was the strongest climber (+2.0%) to 3.3%. In 2017, the Nuon portfolio was transferred from Eni to Eneco.

It is likely that this transfer is the main reason for both Eneco's market profits and Eni's losses. Statoil lost 0.6% market share and retains just under 3.0%. Tenth place is occupied by Total Gas & Power, which grew strongly (+1.8%) to 2.9%. The 2.5% market share of ArcelorMittal Energy S.C.A. remained more or less stable (+0.06%). Lampiris' share declined by 1.5% to 2.3%, and it fell out of the top 10. The acquisition of Lampiris by Total is a likely explanation for the growth of the latter and the decline of the former. Direct Energie Belgium grew strongly (+1.8% to 1.9%). SEGE (Société européenne de Gestion de l'Énergie) grew by 0.3% to 1.3%. European Energy Pooling grew strongly (+0.7%) and enjoyed market share of 1% for the first time. Progress Energy Services also grew strongly (+0.6%) and just makes the 1% threshold. Progress Energy Services is also the last market player with a market share above 1%.

The remaining active grid users, in order of market share, are: natGas, Antargaz, Enovos Luxembourg, UNIPER Global Commodities, GETEC Energie, newcomer Axpo Trading AG and Belgian Eco Energy. All of these companies each have a market share of less than 1%. Together, these 7 companies hold a market share of 2.4%.

Enel Trade, which was active in 2016, did not supply any gas in 2017.

On 31 December 2017, 31 grid users were in possession of a federal supply permit for natural gas. During the course of 2017, 23 of them carried out activities on the transmission system as regards the shipping of natural gas for Belgian end consumers. By way of comparison, at the end of 2007, just six grid users were operating on the Fluxys Belgium transmission system for supplies to Belgian end customers.

#### 4.1.1.2. Price caps

- **For unprotected customers whose supply contract has been terminated**

See point 3.1.2.2 of this report, which also applies to natural gas.

- **For protected household customers on low incomes or in precarious situations**

The social price cap (excluding VAT and other taxes) for the supply of natural gas for the period of 1 February 2017 to 30 July 2017 inclusive was 2,379 €/kWh (€0.02379/kWh).

The social price cap (excluding VAT and other taxes) for the supply of natural gas for the period of 1 August 2017 to 31 January 2018 inclusive was 2,421 €/kWh (€0.02421/kWh).

This tariff excludes the federal contribution and the connection fee (Wallonia). Other taxes relating to system tariffs (transmission and/or distribution) are included.

- **Draft amendment of the legal framework**

On 17 July 2017, the CREG issued an opinion on a draft ministerial decree amending the ministerial decree on gas of 30 March 2007.<sup>102</sup> The aim of the draft is to extend the granting of the social tariff for gas to organisations that are not housing companies, provided that these houses are rented out for social purposes.

<sup>101</sup> In this respect, it should be noted that the assessment is based on figures related to shipping activities on the transmission system as communicated by the transmission system operator.

<sup>102</sup> Opinion (A)1652 on the Ministerial Decree amending the Ministerial Decree of 30 March 2007 establishing maximum social prices for the supply of electricity to protected, low-income or vulnerable household customers.

The CREG concluded that the extension of the social tariff for gas to the targeted categories is acceptable from a social point of view, and leads to a limited increase of approximately €500,000, representing approximately 1% of the total amount of the fund for protected natural gas customers.

The CREG recommends adding the CPASs to the categories. This would result in an additional amount of up to €3 million being charged to the above-mentioned fund.

• **Caselaw**

See point 3.1.2.2 of this report, which also applies to natural gas.

**4.1.1.3. Trends in and fundamentals of the natural gas price**

The following are some of the trends observed for natural gas in 2017:

- At the start of 2017, the distribution and transmission tariffs were adapted.
- In neighbouring countries, no new surcharges were introduced in 2017. However, the existing grid tariffs and surcharges were adjusted, as is the case every year.

See also point 3.1.2.3. of this report.

**4.1.2. Transmission and distribution**

**4.1.2.1. Unbundling and certification of the transmission system operator**

Five years after the certification decision of Fluxys Belgium NV (Decision (B)120927-CDC-1166), the CREG considered it necessary to thoroughly investigate whether Fluxys Belgium

NV complied with the certification requirements of full ownership unbundling.

The CREG established that the new and/or modified participating interests of Fluxys NV, the parent company of Fluxys Belgium NV, and of Fluxys Europe NV, a subsidiary of Fluxys NV, in various entities that own and/or operate natural gas transmission facilities, are either entities that in turn are certified transmission system operators or entities that are exempted from certification pursuant to Article 36 of the Gas Directive. As a result, the CREG established that these new or modified participations do not pose any problem for Fluxys Belgium NV in complying with the certification requirements of full ownership unbundling. The CREG also noted that the members of the board of directors of Fluxys Belgium NV and Fluxys NV do not exercise any mandate in companies that develop activities relating to the production and/or supply of natural gas.

**4.1.2.2. Corporate governance**

In the context of the monitoring of the application of Article 8/3 of the Gas Act and the assessment of its effectiveness with regards to the requirements of independence and impartiality of operators, in 2017 the CREG examined the activity reports of the corporate governance committees of Fluxys Belgium and Fluxys LNG for the year 2016.

The CREG also examined the report of the compliance officer on compliance with the programme of commitments by Fluxys Belgium and Fluxys LNG employees in 2016. The purpose of this programme of commitments is to prevent any discrimination between system users and/or categories of system users.

In its favourable binding opinion of 6 July 2017<sup>103</sup> the CREG established that Mrs. H el ene Deslauriers complies with the

notion of 'independent director' with respect to her mandate on the board of directors of Fluxys Belgium.

Furthermore, analysis of documents received and additional information showed that her appointment is compatible with compliance by Fluxys Belgium with the rules on ownership unbundling.

Finally, in its final opinion of 17 July 2017 on the compliance programme of Balansys NV, the CREG formulated a number of remarks on the compliance programme of Balansys NV.<sup>104</sup> This compliance programme contains the measures which must be taken by Balansys NV<sup>105</sup> to rule out discriminatory and competition-distorting behaviour. In a subsequent phase, Balansys NV will need to submit its compliance programme to ACER for approval.

**4.1.2.3. Technical operation**

**A. Natural gas transmission licences**

To build and operate its transmission facilities, the natural gas TSO, Fluxys Belgium, first has to submit an application for a transmission licence to the Directorate-General for Energy. The CREG has the power to issue opinions on such applications.

In 2017, the CREG issued 5 favourable opinions<sup>106</sup> in this respect.

Finally, on 30 January 2017, the Royal Decree of 1 December 2016 amending the Royal Decree of 14 May 2002 on the transport licence for gaseous products and other products via pipelines, on which the CREG issued an opinion on 7 July 2016, was published in the Belgian Official Journal. The Royal Decree targets the acts and works of limited importance that are either exempt from a transmission permit or subject to an obligation to provide a declaration.

<sup>103</sup> Opinion (A)1650 on the independence of Mrs H el ene Deslauriers as independent director of Fluxys Belgium NV.

<sup>104</sup> Opinion (A)1618 on the compliance programme of Balansys NV.

<sup>105</sup> Fluxys Belgium and Creos Luxembourg SA, the Luxembourg transmission system operator, have set up a plan to entrust the management of the grid balancing to a joint venture, Balansys NV, of which both are 50% shareholders.

<sup>106</sup> Opinions (A)1606, (A)1644, (A)1693, (A)1698 and (A)1701.



### B. Balancing model and balancing zone

The developments relating to the new market-based balancing model in effect from 1 October 2012, summarised in the 2013 Annual Report (pp. 55-56), were still applicable in 2017.

### C. Regulations governing security and reliability of the natural gas transmission system, and standards and requirements for quality of service and supply

To comply with Article 133 of the Code of Conduct, the natural gas transmission system operator applies a monitoring system that tracks the quality and reliability of its natural gas transmission system and the transmission services provided.

This care system makes it possible, inter alia, to determine the quality parameters in the areas of:

- frequency of service interruptions and/or reductions;
- average duration of service interruptions and/or reductions;
- causes and remedies for these service interruptions and/or reductions;
- the portfolio of natural gas transmission services provided.

In 2017, there were no interruptions or reductions in any of the transmission services.

### D. Time taken by the natural gas transmission system operator to carry out connections and repairs

In accordance with the Gas Act, the CREG is responsible for monitoring the time taken by the natural gas transmission system operator to carry out connections and repairs.

In 2017, three new connections were completed for end consumers and six for public distribution.

The construction of these nine new connections took 39, 29, and 23 months, respectively, for end consumers, and 102, 36, 30, 16, 27 and 46 months, respectively, for public distribution.

In 2017 four repairs were carried out following accidents or incidents, and thirteen repairs in the context of maintenance periods. All unplanned repairs (except one) were carried out within the same day, after consultation with – and without any impact on – the shippers and the end consumers. The thirteen repairs under scheduled maintenance periods were carried out to avoid any impact on service delivery. All scheduled operations were for a limited time (they usually lasted one day or a few days) and were carried out in conjunction with the end consumer and/or shippers concerned.

### E. Code of Conduct

#### ■ Fluxys Belgium

In January 2017 Fluxys Belgium submitted an application to the CREG for approval of amendments to the Natural Gas Transmission Programme and the Access Rules for Natural Gas Transmission. With the modifications, Fluxys Belgium intended to introduce a capacity conversion service that would make it possible to convert unbundled capacity on one side of an interconnection point into bundled capacity, introduce an imbalance pooling service that would allow grid users to pool their gas positions, merge the interconnection points Poppel and Hilvarenbeek into the single interconnection point Hilvarenbeek, and correct a number of material errors. From the end of November 2016 to the end of December 2016, Fluxys Belgium organised a public consultation on these changes itself.

On 23 February 2017, the CREG approved the changes, on the suspensive condition that Fluxys Belgium addressed the remarks made by the CREG in its assessment.<sup>107</sup>

On 17 July 2017, the CREG issued a decision relating to amendments applied by Fluxys Belgium to the Standard Contract for Natural Gas Transmission, the Access Rules for Natural Gas Transmission, and the Natural Gas Transmission Programme.

As such, Fluxys intends to adapt the most important conditions to a number of market developments:

- the convergence between physical and notional trading services at the Zeebrugge Trading Point (ZTP);
- the introduction of a virtual interconnection point between Belgium and France (from 1 October 2017);
- the new auction calendar for transport capacity and the new procedure for incremental capacity in implementation of the network code CAM;
- the revised allocation of the transmission services for end consumers on the distribution systems following the creation of the federal clearing house ATRIAS;
- the introduction of two new EDI@ messages in implementation of the network code INT;
- the corrections of a number of material errors and remarks notified by the CREG in Decision (B)1613 of 23 February 2017.

Fluxys Belgium set up a public consultation on these amendments itself.

The CREG approved the amendments<sup>108</sup> on condition that Fluxys addressed its remarks. The amendments entered into force on 1 October 2017.

<sup>107</sup> Decision (B)1613 on the application of Fluxys Belgium NV for approval of the amended Access Rules for Natural Gas Transmission and the Natural Gas Transmission Programme.

<sup>108</sup> Decision (B)1653 on the application of Fluxys Belgium NV for approval of the amended Standard Contract for Natural Gas Transmission, Access Rules for Natural Gas Transmission and the Natural Gas Transmission Programme.

### ■ Fluxys LNG

As part of the expansion of terminal capacity at the LNG terminal in Zeebrugge, the following amendments to the regulatory documents were proposed by Fluxys LNG: addition of the possibility to offer a transshipment service before the commissioning of the fifth tank and adjustment of the offer for truck loading.

Following consultation by Fluxys LNG with the market players, the CREG approved the amendments to the conditions for the LNG terminal in Zeebrugge submitted by Fluxys LNG.<sup>109</sup>

### ■ Interconnector (UK)

Following consultation with the market players, Interconnector UK (IUK) submitted its proposal for a Profile Review Service and a Simplified Conversion Service, together with its proposal for amended Access Rules for IUK to the CREG for approval. The rules for both services were added for informative purposes.

On 1 February 2017, the CREG decided<sup>110</sup> not to adopt the proposal and the rules and asked IUK to bring the access rules into line with the provisions of the European Commission Regulation establishing a network code on capacity allocation mechanisms in gas transmission systems.

On 4 December 2017, following consultation with the market players IUK submitted a new proposal for an access contract and access rules to the CREG for approval. The CREG will examine and assess this proposal and will take a decision in early 2018, which will be published on its website.

## F. Measures to safeguard security of supply

The European Commission's Gas Coordination Group coordinates the application of Regulation (EU) No 994/2010,

which aims to safeguard security of natural gas supply in Europe. The CREG represents Belgium in the European Coordination Group, alongside the designated competent authority, namely the Directorate-General for Energy. In 2017, the focus lay on the discussions on the draft text for a revised regulation and the final publication of Regulation (EU) No 2017/1938 on 28 October 2017. The new Regulation closely follows the existing one, but requires much more express, regional cooperation to manage emergencies. In addition, a legal framework is provided to develop a solidarity mechanism between the European member states as regards continuous supply for protected customers. In 2017, the CREG worked together with the Directorate-General for Energy with a view to the drafting of the requested updates of the plans for Belgium. In 2017, a start was made on drawing up scenarios in which gas supply and infrastructure are disrupted. This relates to scenarios both for the supply of L gas and H gas. These scenarios are then subject to risk analysis at both regional and national level, in accordance with the revised Regulation.

In addition, the CREG assists the competent authority in the application of the European Regulation concerning measures to safeguard security of gas supply, in Belgium. In this context, the CREG primarily focuses on the optimisation of market functioning and possible market instruments that aim to safeguard security of supply. Residual risks require appropriate intervention on the part of the authorities, which can be integrated within the operation of the market without disruptive consequences.

The CREG was able to work in close conjunction with the Directorate-General for Energy, thereby assuming its responsibility as competent authority.

The new regulation (EU) No 2017/1938 is the result of an initiative by the European Commission in 2014 to revise regulation (EU)

No 994/2010. In this context, and in close collaboration with the European Commission, the Council of European Energy Regulators (CEER) set up a task force on 26 November 2014 in order to help the European Commission with this revision and to publish their opinion with regards to security of supply on behalf of the European energy regulators. In 2017, this CEER taskforce published a memorandum<sup>111</sup> in which proposals were made to the European Commission for drawing up guidelines for the application of the solidarity mechanism as provided for in Article 13 of the new regulation. The CREG acts as Vice-Chair of this task force.

As part of its remit to monitor and check the application of the Code of Conduct (see also point 4.1.2.3.E of this report), the CREG monitored balancing on the transmission system for H gas and L gas. In 2017, the CREG did not detect any problems that posed a threat to preserving the balance of the system. The current system balancing model puts a heavy responsibility on system users, and the natural gas transmission system operator now has only to provide residual balancing, if necessary. The market-based balancing mechanism is closely monitored and the CREG believes it to be a successful and important mechanism that also contributes to ensuring the continuity of natural gas supplies for all end users. The Belgian balancing zone for H gas has been expanded since 1 October 2015 through the merger with the Luxembourg natural gas market.

Ever since this date, the same balancing rules apply to both markets that have merged into a single balancing area with just one trading platform (the existing Zeebrugge Trading Platform) and a single entry/exit area. Market-based balancing in the single Belux area is organised by Fluxys Belgium pending the allocation of this responsibility to the separate company (Balansys) created by Fluxys Belgium and the Luxembourg transmission system operator Creos (see point 4.1.3.3 of this report).

<sup>109</sup> Decision (B)1711 on the request for approval of the amended LNG Access Rules for the LNG Terminal at Zeebrugge, the amended Access Rules for loading LNG Trucks for the LNG Terminal at Zeebrugge, the amended LNG Agreement for loading LNG Trucks in the LNG Terminal at Zeebrugge and the amended LNG Terminalling programme.

<sup>110</sup> Decision (B)1608 on the proposal submitted by Interconnector (UK) Limited regarding the Access Rules of IUK and the rules of the Profile Review Service 2017, and the Simplified Conversion Service 2017.

<sup>111</sup> <https://www.ceer.eu/documents/104400/-/-/715584e2-53c4-b53d-d9c5-5470fda7692c>.

### 4.1.2.4. System tariffs and LNG tariffs

#### A. Transmission system, storage and LNG

##### a) Tariff methodology

###### ■ *Transmission, storage and Liquid Natural Gas (LNG)*

As indicated in its annual report of 2014, on 18 December 2014 the CREG established its tariff methodology as a basis for approving the tariffs for the natural gas transmission network, the storage installation for natural gas and the LNG installation, with a view to applying the tariffs for the regulatory period 2016-2019 with regard to the natural gas transmission network and the storage installation for natural gas.<sup>112</sup> In 2016, following consultation with the market players, the CREG also established the methodology and criteria for evaluating investments in electricity and gas infrastructure and the associated higher risks.

On 16 October 2017, the CREG decided to impose certain obligations on the natural gas transmission system operators for the consultation and publication of tariff data.<sup>113</sup>

This decision was taken following the entry into force of the European Commission Regulation establishing a network code for harmonised transmission tariff structures for gas, which the CREG must apply in Belgium.

###### ■ *Interconnector (UK)*

Following public consultation, consultation with the British regulator Ofgem and with Interconnector (UK), the CREG took a decision<sup>114</sup> at the end of 2017 on the setting of the pricing methodology for the connection and use of an interconnector. This power was granted by the Belgian legislator to the CREG at the end of 2016.

This tariff methodology is unique in various respects. Firstly, there is a coordinated approach with the British regulator and prior study work with the Dutch regulator. Furthermore, the Belgian section of this methodology contains a unique mechanism to protect the consumer against excessive profits on the part of the interconnector operator. In effect, the CREG provides for an audit of the efficient costs, the application of two yield ceilings and a decision on a possible balance at the end of the regulatory period.

The public consultation revealed that market participants welcomed this pricing methodology as a pragmatic ex-post tariff regulation, providing protection to the benefit of shippers and consumers.

On 21 December 2017, the CREG also approved the tariff methodology underpinning the approval of tariffs for connection to the transport network and the use of an interconnection.<sup>115</sup>

##### b) Tariff trends

###### ■ *Transmission and storage tariffs*

The CREG examined the updated tariff proposal of Fluxys Belgium NV regarding transport tariffs for the period 2016-2019 (the storage tariffs approved in 2015 remain unchanged).

This updated tariff proposal follows on from the mechanism of the interim tariff review, as specified in the decision of the CREG of 29 October 2015. In the event of significant differences as regards the tariff assumptions made in the initial tariff proposal, two thirds of the difference in tariffs for the following four years will be offset. The balance will then be reimbursed during the subsequent tariff period.

On this basis, the CREG approved the new transmission tariffs for natural gas on 24 May 2017.<sup>116</sup> From 1 January 2018, the tariffs fell by 7.5% compared to 2017. On 1 January 2018, the tariffs for the transport of natural gas will consequently decrease for the third time in five years thanks to the mechanism of the interim tariff review as stipulated in the CREG's decision.

With this decision, the CREG also approved the tariffs for the Hub services, which were adapted as a result of the simplification of the commercial model for the Hub services of the Zeebrugge hub.

<sup>112</sup> Regarding LNG infrastructures, the CREG had already made a decision on the matter on 30 September 2004, based on the Royal Decree of 15 December 2003, in which it approved Fluxys LNG's multi-annual tariff proposal used for the capacities of the LNG terminal in Zeebrugge after 2006 and valid until the year 2026. On 29 November 2012, the CREG decided to extend the period of application of the tariffs to 1 April 2027. The new decree in no way infringes upon this decision and, on the contrary, gives it a new legal basis.

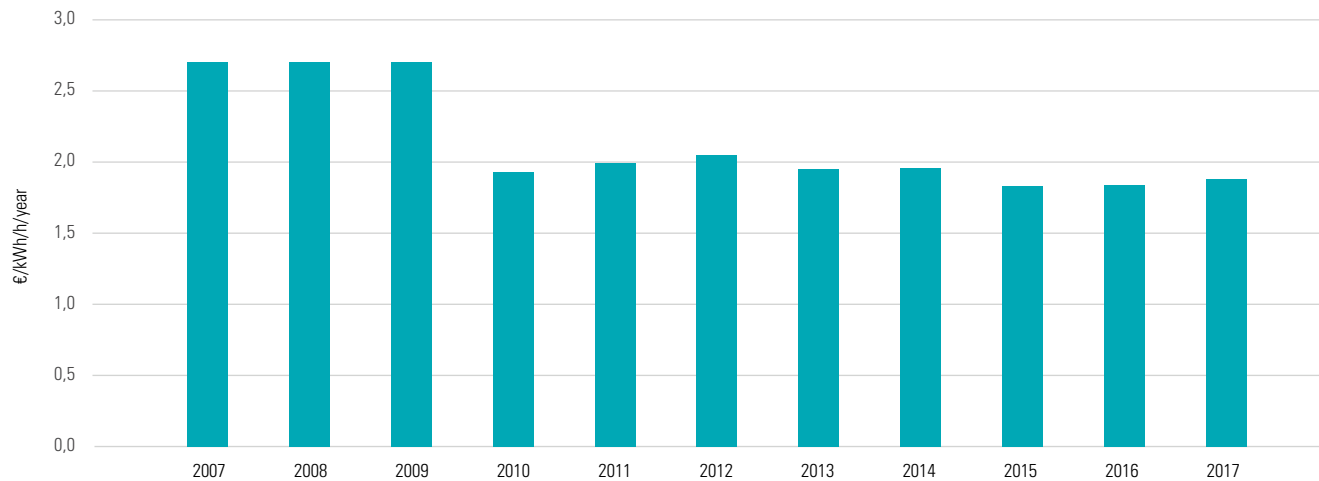
<sup>113</sup> Decision (B)1657 on the implementation of certain aspects of Regulation (EU) 2017/460 of the European Commission of 16 March 2017 establishing a network code on harmonised transmission tariff structures for gas.

<sup>114</sup> Decision (Z)1654/1 establishing the pricing methodology for the connection to and use of an interconnection.

<sup>115</sup> Decision (B)1442/4 on the compensation methodology relating to the Access Agreement with Interconnector (UK) and the Access Rules of Interconnector (UK).

<sup>116</sup> Decision (B)656G/34 on the updated tariff proposal relating to the transmission and storage tariffs of Fluxys Belgium NV for the period 2016-2019.

Figure 18: Change in Fluxys Belgium's natural gas transmission tariffs (entry and exit tariffs for H gas) between 2007 and 2017  
(Source: CREG)



The European regulation establishing a network code for the balancing of gas transmission systems came into effect on 1 October 2015. This date also marked a significant event in the integration process of the Belgian and Luxembourg gas markets. In this context, on the proposal of Fluxys Belgium, the CREG approved the tariffs<sup>117</sup> relating to the balancing of the natural gas transmission network (see also point 4.1.3.3 of this report). As such, the daily and intraday unbalancing charges are maintained at the current level, and a neutrality charge is introduced. These tariffs applied from 1 January 2017 to 31 December 2017.

Following a market survey in July 2017, Fluxys Belgium and Balansys submitted a proposal to the CREG to approve the balancing tariffs. The CREG accepted the proposal on 27

October 2017.<sup>118</sup> As such, the daily and intraday unbalancing charges are maintained at the current level, and a neutrality charge of €0.005/MWh was brought back to €0. These tariffs apply from 1 January to 31 December 2018.

#### ■ LNG terminal tariffs

Fluxys LNG's tariffs for 2017 for the use of the facilities at the LNG terminal in Zeebrugge were the same as those for 2016, excluding the rate of inflation.

By Decision of 29 November 2012 (see Annual Report 2012, pp. 18-19), the CREG had already approved an updated version of the tariffs, valid from 1 January 2013 until 31 March 2027, confirming the real tariff level of the tariffs approved by its Decision of 30 September 2004.

Fluxys LNG's tariffs for 2017 for transshipment services were the same as those for 2016, excluding the rate of inflation. The CREG had approved these new tariffs for a period of 20 years in its decision of 2 October 2014 (see Annual Report 2014, p. 65).

#### c) Balances

On 27 April and 24 May 2017, the CREG approved the respective tariff reports for 2016 of Fluxys LNG<sup>119</sup> and Fluxys Belgium<sup>120</sup>.

To this end, the CREG studied the amended tariff reports of both companies and checked, on the one hand, total revenue, and, on the other hand, the operating balances. These balances are the result of the differences between the tariff estimates and the figures and quantities actually established.

#### B. Distribution systems

See point 3.1.3.5.B of this report.

#### 4.1.3. Cross-border issues and market integration

##### 4.1.3.1. Access to cross-border infrastructure

Under the new European TEN-E Regulation (Regulation No 347/2013/105, which was published on 25 April 2013 and entered into force on 15 May 2013, project promoters may, during a biennial selection process, submit investment projects to the European Commission with a view to securing Project of Common Interest status (hereafter: PCI - Project of Common Interest). Only projects spanning at least one national border within the European Union can be considered.

<sup>117</sup> Decision (B)161208-CDC-656G/33 on the balancing fees for the purposes of neutrality and the value of small adjustments.

<sup>118</sup> Decision (B) 656G/35 on the balancing fees for the purposes of neutrality and the value of small adjustments.

<sup>119</sup> Decision (B)657G/13 on the tariff report including the balances sent by Fluxys LNG NV concerning operational year 2016.

<sup>120</sup> Decision (B)656G/33bis on the revised tariff report including the balances sent by Fluxys Belgium NV concerning financial year 2016.

PCI status enables a project to benefit from faster and more efficient licence-granting procedures and revised regulatory conditions. In addition, a cost-benefit analysis of PCI projects for the various countries within such projects' impact zones is conducted, with a view to possible cross-border cost allocations in the event that projects cannot otherwise be completed. There can be no subsidies from the European Commission to help finance the necessary work other than as a last resort, i.e. if the market is unable to finance the cost of the investment and if significant positive externalities are nonetheless linked to the project, such as market integration, competition, security of supplies and sustainability.

In 2017, a new PCI list was developed. This list - the third already - is the result of an evaluation of the existing PCIs which were submitted again, and potential new PCI projects in the so-called 'Regional Groups' led by the European Commission. This third PCI list comprises one infrastructure project on Belgian soil and concerns the conversion of L gas to H gas. In addition, there is a series of projects in the surrounding countries, specifically in Germany, which may have an influence on the future use of the Belgian natural gas infrastructure and therefore requires close monitoring.

At the end of 2017, the European Commission published the new PCI list.<sup>121</sup>

The list of European PCI projects is updated every two years and checked by the respective European regional working groups. The CREG follows these activities within the working group for the region GasWest. In addition to its involvement

in the selection process and the monitoring of PCIs, the CREG advocates, in close consultation with other regulators and ACER, to contribute to the correct implementation of the TEN-E Regulation (Regulation No 347/2013). This includes, among other things, the assessment of costs and benefits for Belgium possibly included in the PCI projects abroad and a possible cost compensation resulting from these foreign projects. Until now, Belgium has not been in receipt of any possible cross-border cost compensation for the completion of PCI projects.

#### 4.1.3.2. Analysis of the natural gas TSO's investment plan as regards consistency with the network development plan across the European Union

See point 4.4.2. of this report.

#### 4.1.3.3. Market integration

Belgium and the surrounding countries represent 59% of the European natural gas market. Belgium is located at the centre of important natural gas corridors in North West Europe and is characterised by intensive cross-border trade in natural gas.

The Dutch Title Transfer Facility (TTF) is the main border market for trade in natural gas (H gas and L gas) for the Belgian market. In 2017 net natural gas transactions from TTF to ZTP amounted to 109.7 TWh. The British National Balancing Point (NBP) continued to show a positive net balance for natural gas transactions to ZTP (58.0 TWh in 2017). Natural gas transactions with both German natural gas markets experienced a rapid

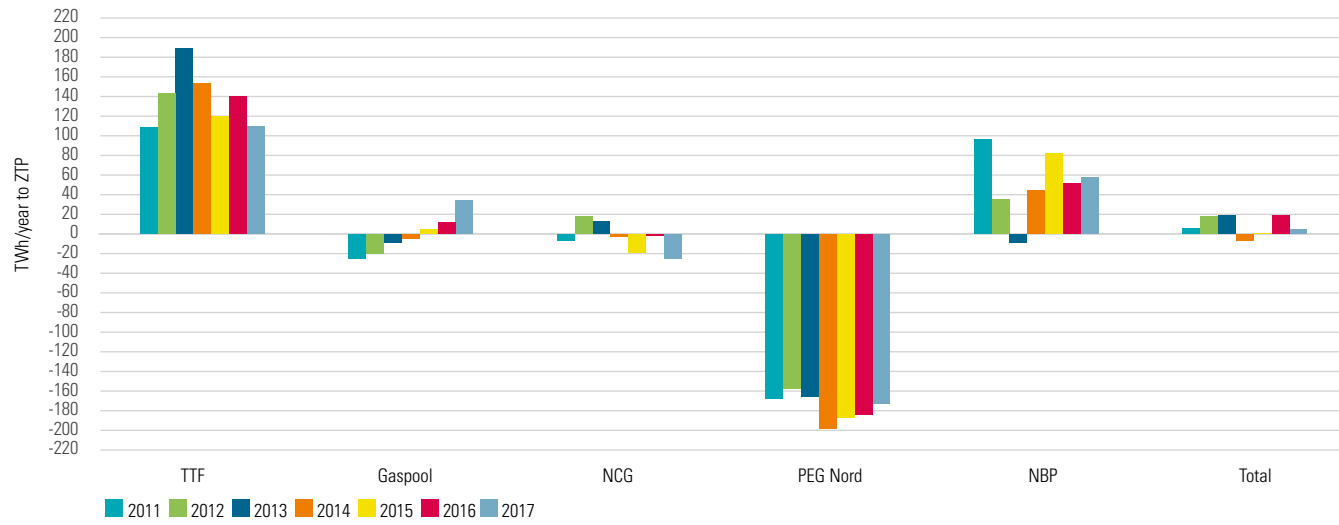
change of direction between exit to Germany and entry into Belgium. With the northern German Gaspool, net natural gas transactions to ZTP amounted to 34.30 TWh in 2017, while net natural gas transactions from ZTP with the southern German Netconnect Germany (NCG) amounted to 24.7 TWh in 2017. France is highly dependent on natural gas transactions between ZTP and Point d'échange de gaz Nord (PEG Nord) (173.1 TWh in 2017).

The price curves in Figure 20 show the annual average day-ahead (DAM) price of natural gas for the Belgian natural gas market ZTP (since 1 October 2015 ZTP also comprises the Luxembourg natural gas market), the Dutch TTF and both German markets Gaspool and NCG. These price curves converge, which indicates that smooth cross-border trade in natural gas is possible between these markets. The annual average year-ahead price of natural gas (Y+1) is also shown. Given the price convergence and correlation on the short-term market, the long-term price in the Netherlands and Germany can also be used as a reference price for the Belgian-Luxembourg market.

The average price of natural gas on the short-term market rose to approximately €17.3/MWh in 2017, and on the long-term market to approximately €17.0/MWh. This is the first increase for both products since 2013, when the average price was above €26/MWh. Average natural gas prices on the short-term market in Belgium and abroad were at a similar level, with a difference of 1% between NCG and ZTP.

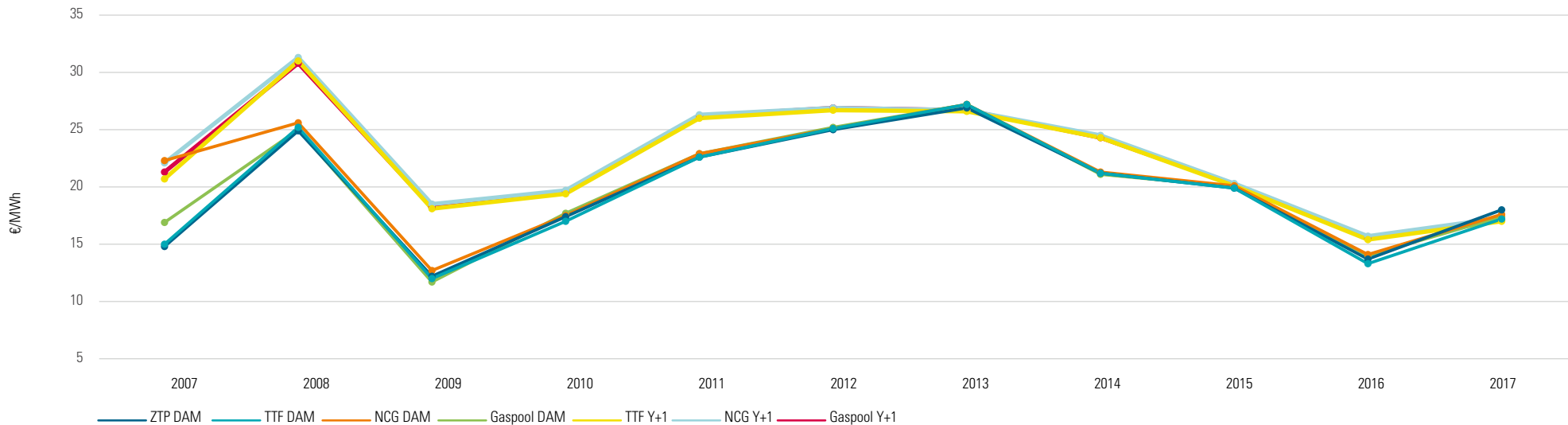
121 [https://ec.europa.eu/energy/sites/ener/files/documents/annex\\_to\\_pci\\_list\\_final\\_2017\\_en.pdf](https://ec.europa.eu/energy/sites/ener/files/documents/annex_to_pci_list_final_2017_en.pdf)

Figure 19: Net natural gas transactions between the ZTP\* Belgian natural gas market and the markets in the neighbouring countries during the period 2011-2017 (in TWh/year, H gas and L gas) (Sources: CREG, gasdata.fluxys.com data)



\* Since 1 October 2015 ZTP also encompasses the Luxembourg natural gas market.

Figure 20: Average annual natural gas price on the day-ahead and year-ahead markets (Sources: CREG, data taken from icis.com, ice.com, eex.com and powernext.com)



## 4.2. Competition

### 4.2.1. Monitoring of wholesale and retail prices

#### 4.2.1.1. CREG studies conducted in 2017

- **Price operation and trends on the Belgian wholesale market**

The study on the price operation and trends on the Belgian wholesale market for natural gas<sup>122</sup> shows that market concentration remained stable in 2016 compared to 2015. The evolution of the natural gas price on the wholesale market in Belgium and in the neighbouring markets run parallel, which indicates smooth cross-border trade. In addition, the fall in natural gas prices which began in 2016 continued.

The CREG will continue to focus on market integration with neighbouring countries, so that Belgian consumers can continue to benefit from effective competition and economic efficiency in the northwestern European region.

- **Prices on the Belgian natural gas market in 2016**

In its annual study on the prices in force on the Belgian natural gas market in 2016<sup>123</sup>, the CREG analyses market shares, price setting, price levels, price breakdown and billing in the different market segments (import, resale, supply of residential customers, industrial customers and power plants).

With fully 42 natural gas companies, the Belgian natural gas market is highly competitive.

In particular, the study covers the gross sales margins on the different market sectors and on the types of indexing.

In all segments, gas prices were the main vector of price. On average, only 3% of industrial contracts are indexed to oil. As regards household customers and SMEs, 2016 was the first year in which billing of the transmission component was separate from the energy component. This separation of billing for transmission is also increasingly observed in the other segments, enhancing price transparency.

With a view to ensuring consistency of data between different publications, the CREG follows a new methodology for classifying customers and allocating volumes to the 'Industry' category on the one hand and the 'Power stations' category on the other. This explains important shifts between the categories of direct customers and power plants with regards to previous years.

- **Natural gas supply to large industrial customers**

In September 2017, the CREG conducted a new study<sup>124</sup> into natural gas supply to large industrial customers in Belgium.

These customers, connected directly to the Fluxys Belgium network, represented 23% of consumption by Belgian end consumers in 2016.

For this study, the CREG adjusted its list of industrial customers, firstly to take account of the classification of Fluxys Belgium, and secondly to ensure that the data were consistent with those published by Fluxys Belgium and Synergrid.

As a result, the volumes and percentages in this study differ from the previous edition of the study.

Analysis of the supply contracts shows that industrial customers mainly enter into short-term contracts (with a duration of 1 or 2 years). They also rely on natural gas prices more often, both upstream (supply contracts) and downstream (sales contracts).

Furthermore, there are significant differences between the energy prices charged to large industrial customers. In 2016, contract prices were between €12 and €28/MWh.

Between 12% and 19% of all industrial customers change suppliers at least once a year.

In conclusion, we can state that the market of large industrial customers is a dynamic market which is highly competitive. Given that the switching rate fell in 2016, the trend in this respect needs to be monitored.

- **Other studies**

See point 3.2.1.1. of this report.

#### 4.2.1.2. Safety net

See point 3.2.1.2. of this report.

<sup>122</sup> Study (F)1681 on the price operation and trends on the Belgian wholesale market for natural gas monitoring report 2016.

<sup>123</sup> Study (F)1678 on prices on the Belgian natural gas market in 2016.

<sup>124</sup> Study (F)1673 on the supply of natural gas to large industrial customers in Belgium in 2016.

#### 4.2.2. Monitoring of market transparency and openness

- The REMIT Regulation

See point 3.2.2.6. of this report.

- Charter of best practices for electricity and gas price comparison websites

See point 3.2.2.7. of this report.

#### 4.3. Consumer protection

See point 3.3. of this report.

#### 4.4. Security of supply

##### 4.4.1. Monitoring the balance between supply and demand

###### A. Natural gas demand

In 2017, total natural gas consumption amounted to 182.00 TWh. This is an increase of 1.4% compared to consumption in 2016 (179.43 TWh). This increase in demand can be attributed entirely to industry (+5.1%) and natural gas-fired power plants

(+3.4%). The recovery in demand from large-scale consumers is striking, all the more so as an average natural gas price of €17.3/MWh was recorded on the wholesale market in 2017, 25% higher than in 2016 (€13.8/MWh). The situation varies among small-scale consumers. The mild temperatures in 2017

compared to 2016 are thought to have reduced heating needs by 7.5%. This finding partly explains the 1.2% decrease in the natural gas demand on the distribution systems. In these conditions, the share of the natural gas offtake on the distribution systems was 50.5% in 2017 (compared to 51.8% in 2016).

Figure 21: Distribution of Belgian H gas and L gas demand by user segment in 2016 and 2017 (Source: CREG)

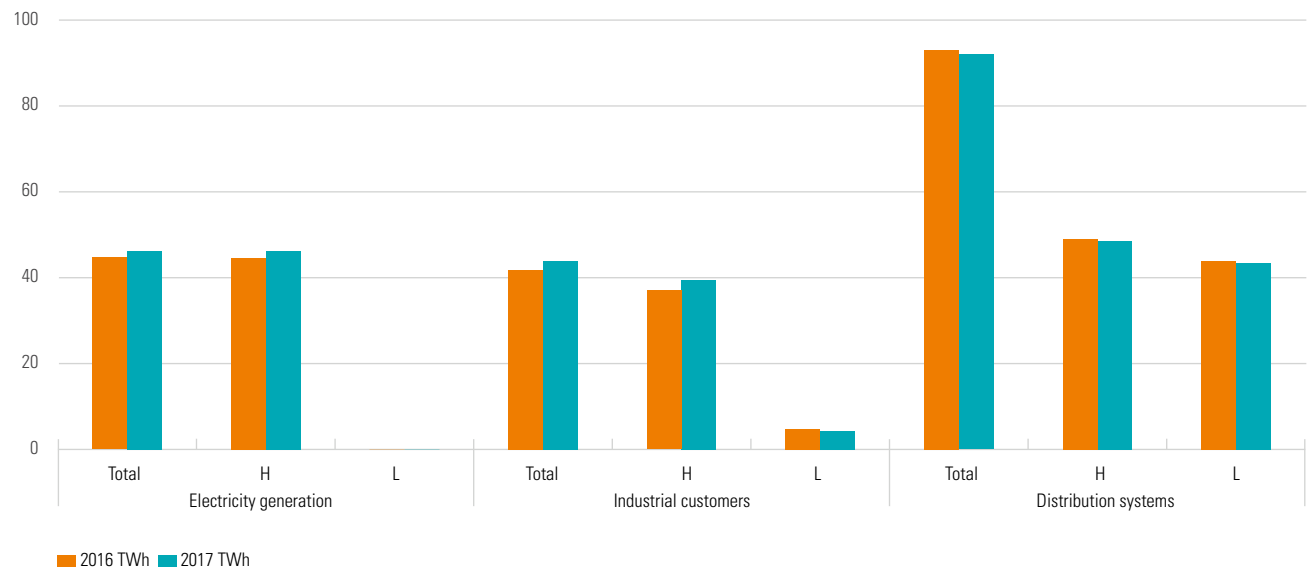


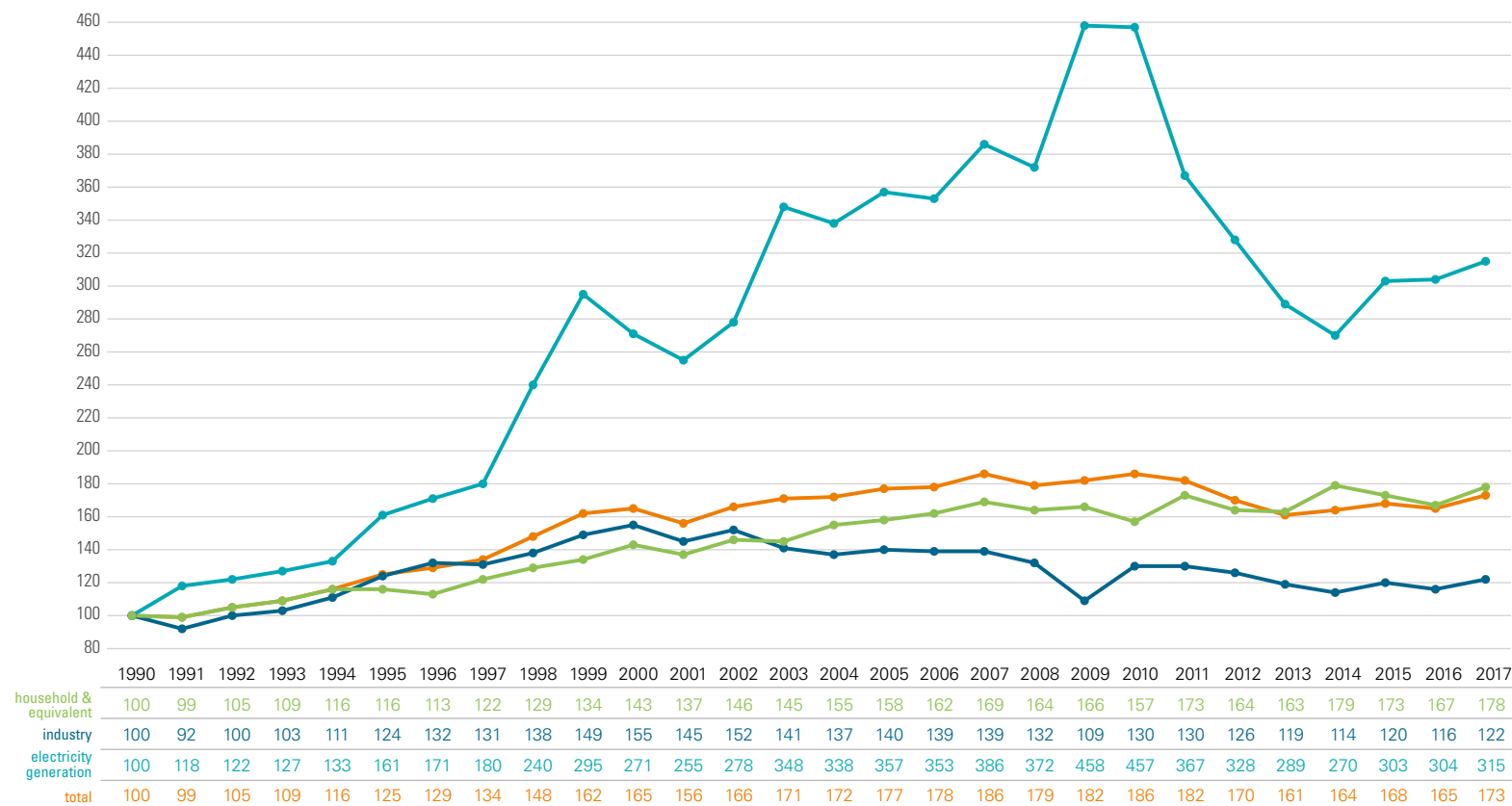
Table 12: Breakdown of Belgian natural gas demand by user segment between 2003 and 2017 (in TWh) (Source: CREG)

User segment	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2017/2016
Distribution	83.1	88.3	87.2	88.3	82.6	88.5	87.6	101.2	82.5	91.9	97.9	79.6	88.1	93.0	91.9	-1.2%
Industry (direct customers)	50.7	49.3	50.2	50.2	50.0	47.8	39.2	46.9	47.0	45.5	42.8	41.1	43.1	41.8	43.9	+5.1%
Electricity generation (centralised facilities)	51.1	49.7	52.5	51.9	56.7	54.6	67.3	67.1	53.9	48.1	42.5	39.7	44.6	44.7	46.3	+3.4%
<b>Total</b>	184.9	187.3	189.9	190.4	189.3	190.9	194.2	215.3	183.4	185.6	183.2	160.4	175.8	179.4	182.2	+1.4%



#### 4. The natural gas market

Figure 22: Development of natural gas consumption per user segment during the 1990-2017 period (1990=100), corrected for climate variations (Source: CREG)



#### B. Natural gas supply

Natural gas suppliers can choose from a series of entry points on the natural gas transmission system to both carry out national and international natural gas transactions and to supply their Belgian customers with H gas. Natural gas customers who use L gas are supplied directly from the Netherlands or indirectly, against the flow, via the Blaregnies interconnection point with France.

LNG imports, mainly from Qatar via the Zeebrugge terminal, accounted for a 3% share of the average import portfolio in 2017 for the Belgian market. Zeebrugge is the main supply point for Belgian natural gas consumers and, in 2017, had a share of 43.2%. On a virtual level, there are imports via the interconnection point with France at Blaregnies, both for H gas and for L gas, via nominations against the flow of border-to-border natural gas flows that are initially destined for the French market.

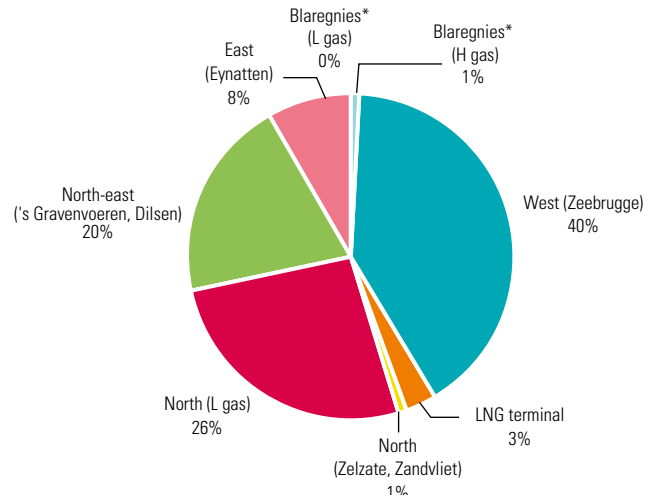
The supply portfolios of the individual natural gas suppliers resulted, overall, in a differentiated supply depending on the type of contract. The share of long-term contracts concluded directly with natural gas producers with a remaining duration in excess of 5 years stabilised in 2017 to 43.8% (43.7% in 2016, 48.2% in 2015, 51.1% in 2014 and 55.5% in 2013) and remained the main component of these portfolios. The total supply provided through supply contracts concluded directly with natural gas producers was 52.9% (57.9% in 2016).

#### 4. The natural gas market

Net supply on the wholesale market recorded an increase in 2017 to 47.1% (42.1% in 2016).

Long-term contracts signed with natural gas producers remain the basis of the portfolios of the major suppliers on the Belgian market, but an increasing number of suppliers are taking supplies from the wholesale markets (hubs). In 2017, a total of 23 supply companies were operating on the Belgian market. Electrabel (ENGIE) (32% in 2017 compared to 35% in 2016), and ENI S.p.A. (17% in 2017 compared to 23% in 2016) together covered 49% (compared to 58% in 2016 and 55% in 2015) of natural gas supply to wholesale consumers directly connected to the transmission system and the distribution systems. The third largest supplier was EDF Luminus, who held a stable market share of 11% in 2017. Wingas (6%) and RWE (5%) joined the group of supply companies in 2017, with a market share of at least 5%. The remaining 18 supply companies (together accounting for a market share of 29%) each held a market share of less than 5%, while 7 of these supply companies had market share of less than 1%. Market concentration fell slightly in 2017 compared to 2016.

Figure 23: Breakdown of incoming natural gas by entry zone in 2017 (Source: CREG)



\* The Blaregnies entry points are used 'against the flow' of the actual flows ('reverse flow'), making use of the predominant transit flows at these points..

Figure 24: Composition of the average supply portfolio of suppliers operating in Belgium in 2017 (Source: CREG)

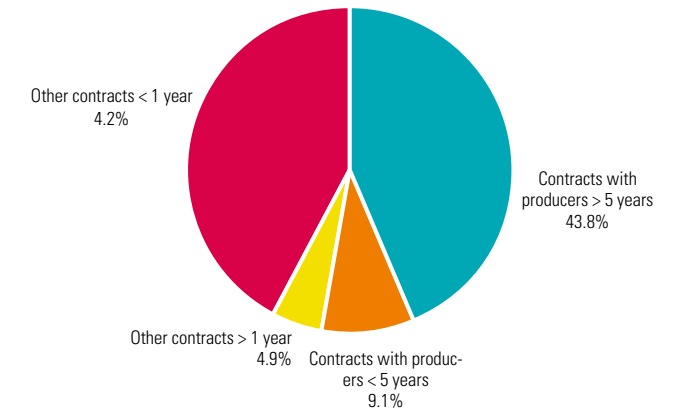


Figure 25: Composition of the average supply portfolio for the Belgian natural gas market between 2000 and 2017 (shares in %) (Source: CREG)

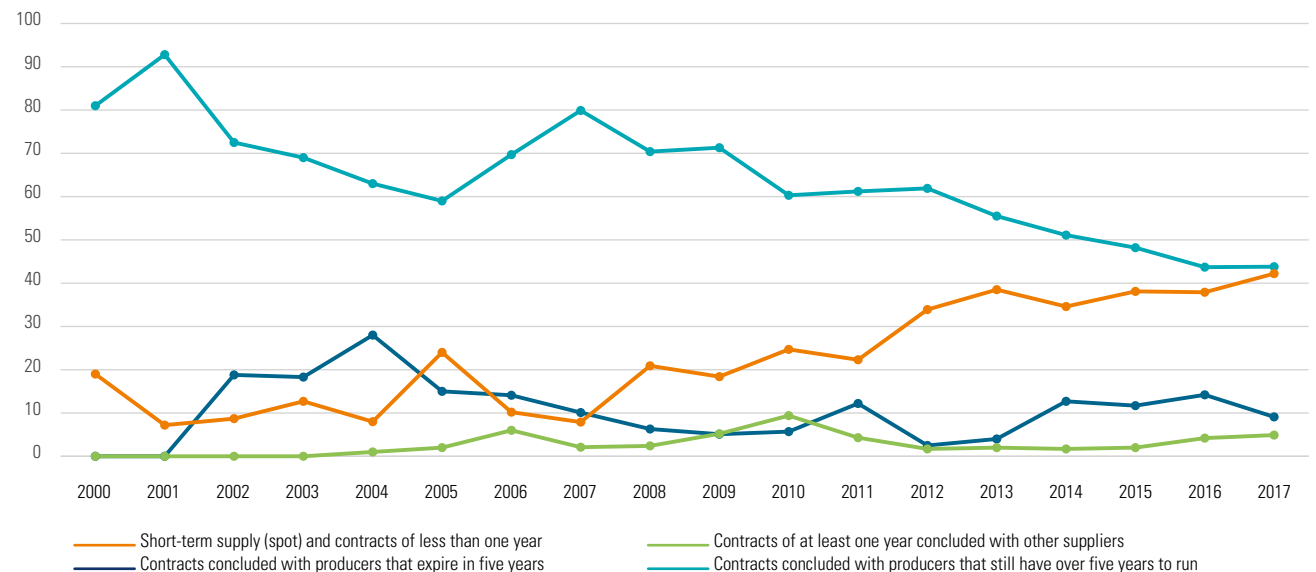
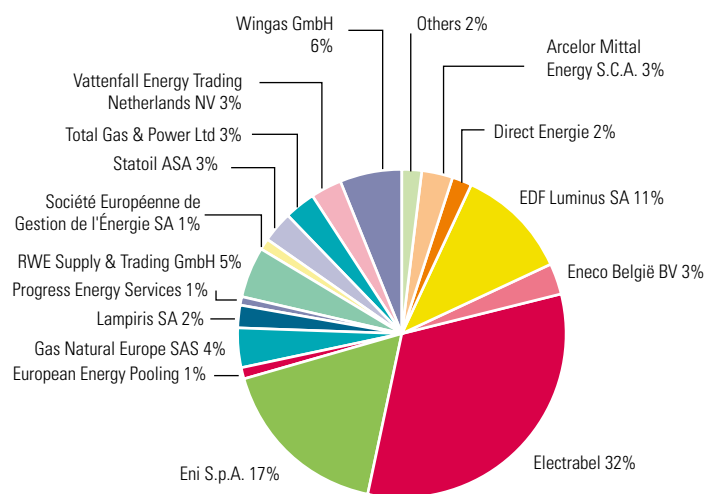


Figure 26: Market shares of supply companies in the transmission network in 2017 (Source: CREG)



\*Supply companies who each have a market share of less than 1%: Uniper Global Commodities SE, natGAS AG, Belgian Eco Energy NV, Novos Luxembourg SA, Antargaz SA, GETEC ENERGY AG, and Axpo Trading AG..

#### 4.4.2. Monitoring the investment plans of the natural gas transmission system operator

The natural gas transmission system, operated by Fluxys Belgium, has developed in such a way that it has become an important intersection for transmission pipelines in North-West Europe, reporting a record level in terms of coupling with neighbouring transmission systems. Import capacity increased to more than ten million cubic metres of natural gas per hour

(100 GWh/hour) with natural gas flowing in both directions and no congestion problems. This maturity explains why no immediate significant investments in extensions are planned. The need to replace certain elements of some facilities will however increase.

There are some unfavourable developments that make decisions to invest further in extensions less clear-cut. Demand for natural gas is generally stagnating or even shrinking, and is also showing increased volatility. Short-term transmission capacity orders continue to increase without, however, showing any commitments in long-term transmission contracts with the natural gas transmission system operator. Furthermore, there is uncertainty about the use of natural gas-fired plants for future electricity generation.

The deployment of green gas including biomethane, and the conversion of temporary electricity surpluses (solar and wind energy) into hydrogen, for example, will help determine the future of the natural gas infrastructure, under the influence of Europe's ambitious energy and climate change targets. In any case, natural gas infrastructure can make an important contribution to a cost-efficient energy transition, since the storage of electrical energy remains a difficult link to bridge.

In 2017, Fluxys Belgium drafted a ten-year plan concerning the development of the system (2018-2027)<sup>125</sup>, in accordance with article 15/1, paragraph 5 of the Gas Act. The CREG assessed this plan in conjunction with the 10-year network development plan, TYNDP 2017 of the European Network of Transmission System Operators for Gas (ENTSO-G) and the Gas Regional Investment Plan, GRIP 2017 of the TSOs of North West Europe. No issues were identified. The current major challenge is the conversion of the separate L gas transmission system with the aim of evolving

towards a Belgian natural gas market supplied exclusively with H gas. This conversion is necessary because no new long-term contracts will be concluded with the Netherlands for the supply of L gas, given the way in which the Netherlands is managing the remaining stocks of L gas. Furthermore, the Dutch government has taken drastic measures to limit the extraction of L gas in Groningenveld due to the risk of earthquakes in the Groningen area. In 2017, the CREG held further consultations with Fluxys Belgium with a view to developing an efficient system to enable suppliers to easily switch to H gas, so that they can continue to supply customers who have made the switch. During the conversion period, the necessary transport capacity for L gas supplies to France will continue to be provided. The aim is to start on 1 June 2018 with the implementation of the indicative L/H conversion plan as proposed by Synergrid<sup>126</sup> with a view to a full exit from L gas in the summer of 2029. This indicative L/H conversion plan is included in the indicative 10-year network development plan.

Boosted by new LNG flows and market developments for LNG as ship fuel, a significant expansion took place at the Zeebrugge LNG terminal. A second landing station for LNG ships was put into operation at the end of December 2016. The opportunity to construct an additional landing station is being evaluated. Both large and small LNG ships can be loaded and unloaded at this new landing station. Small LNG ships are increasingly used to supply other ships fuelled by LNG or to supply small bunkering terminals. Furthermore, the Zeebrugge LNG terminal is being expanded with the construction of a fifth reservoir with a capacity of 180,000 m<sup>3</sup> of LNG (2015-2018). This investment is needed to moor LNG ice-breaker ships from northeast Siberia (Yamal LNG) from 2018. The LNG terminal will be used to unload LNG cargo and transfer it to traditional LNG ships so they can continue the journey.

<sup>125</sup> <http://www.fluxys.com/belgium/nl-BE/About%20Fluxys/Investment/Investment>.

<sup>126</sup> The federation of transmission and distribution system operators for electricity and natural gas in Belgium.

Limited annual growth on the distribution systems and the expected development for industrial customers and power stations have given rise to some (local) reinforcement, but much less than in previous years. Moreover, carrying out this investment continues to depend on adequate payment for the capacity by end users.

The European investment context is shifting. Firstly, there are changes in the demand-side behaviour. Secondly, European regulations are focusing more on building trans-European gas corridors (see point 4.1.3.1 of this report), not only helping with the need for physical supply, but also with a view to encouraging market integration, competition, security of supply and sustainability. The aim is also to establish a sectoral link between electricity and natural gas. Cost issues remain of crucial importance to the CREG, and it is obvious that more attention will be paid to alternative solutions to avoid wasted investment and safeguard the competitiveness of natural gas. Cross-border investment decisions are increasingly subject to new factors beyond the national interest.

#### 4.4.3. Forecasts of future demand, available reserves and additional capacity

##### • Demand

Figure 27 shows the outlook for total natural gas demand in Belgium according to the CREG reference scenario used to follow up the necessary investments made on the Fluxys Belgium system. This total natural gas demand is determined by adding together the expected consumption of the household sector, the tertiary sector, the industry and electricity generation. In this case, it involves the normalised trend that takes account of temperature.

Taking into account the numerous uncertainties existing at this moment, these forecasts are highly hypothetical and may change in the short term as market conditions evolve. Above all,

there is a great deal of sensitivity regarding the use of existing power plants and the construction of new power plants that run on natural gas, the competitive position of natural gas in the energy mix (especially for wholesale users), the economic forecasts and the role of natural gas in the transition to a low-carbon economy. The forecasts include an estimate of the growth in H gas demand to replace the L gas demand, according to the L/H conversion plan included in the indicative ten-year plan for the development of the Fluxys Belgium network (see point 4.4.2 of this report). A situation of gradual convergence to a single integrated H gas market is described within the context of stagnating natural gas demand, except for changes in trends or events that cannot currently be predicted.

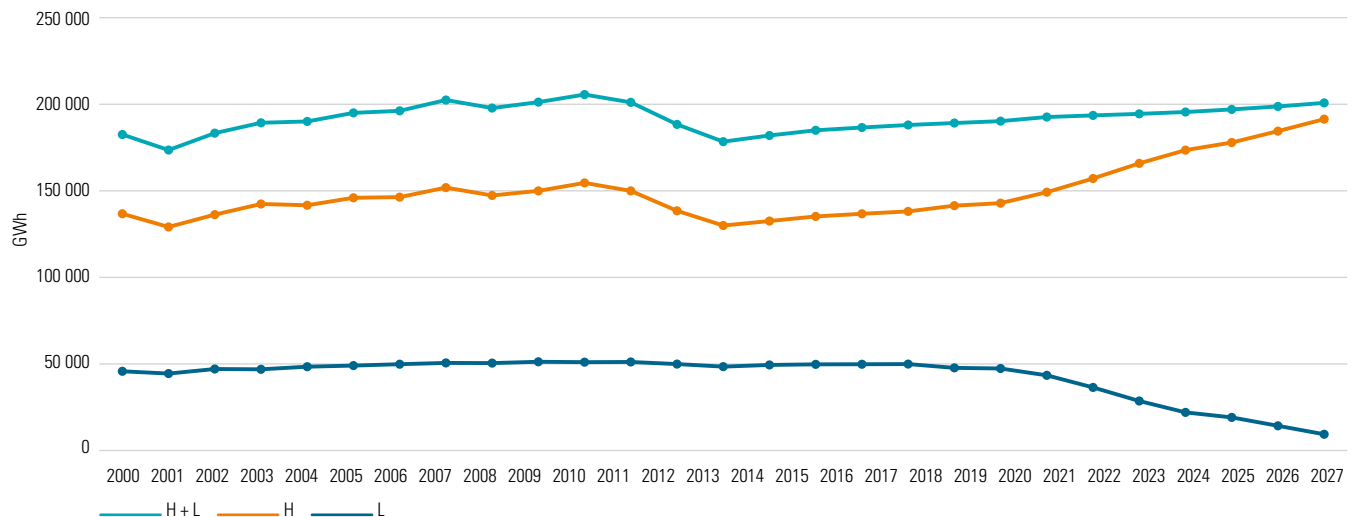
##### • Supply

The number of importers of H gas for the Belgian market is currently 23 (the same as in 2016). Among all importers there

is a high degree of diversification, both in terms of supply sources and in terms of supply routes. The trends that are emerging on the natural gas market, in part due to European market organisation, include a rise in the number of short-term natural gas transactions, a greater volume of trade, increased volatility, more international arbitrage and price coupling between European markets. In Belgium the conditions for the attraction and distribution of natural gas flows are favourable and this can be further enhanced by the gradual transition to a single integrated H gas market in 2029. Maintaining the liquidity of the market in Belgium is essential both for Belgium's security of supply and for 'exporting' security of supply to other markets in north-western Europe.

As regards L gas suppliers, there are currently 18 suppliers (compared to 17 in 2016), which are also active on the Belgian H gas market and depend exclusively on the Hilvarenbeek/Poppel interconnection point for supplies from the Netherlands.

Figure 27: Forecast for demand for natural gas in Belgium until 2027 (GWh, normalised t°, H+L) (Source: CREG)



#### 4. The natural gas market

Trends on the Belgian L gas market are defined to a great extent by the gradual conversion of L gas customers to H gas.

##### 4.4.4. Covering peak offtake

The peak offtake day for natural gas in 2017 was recorded on Wednesday 18 January. On that day, Belgian natural gas consumption was 988 GWh (compared to 957 GWh in 2016), which is 1.98 times the average daily consumption. Distribution systems accounted for 66% of the peak offtake, 21% was used in generating electricity, and the remaining 13% was used by industry.

The peak daily consumption of 988 GWh on Wednesday 18 January 2017 was covered by a range of natural gas sources. There was a net natural gas supply via the Netherlands that covered 54% of peak demand (32% H gas and 22% L gas). 25% came directly from the Norwegian natural gas fields in the North Sea via the Zeepipe which lands in Zeebrugge. Natural gas flows entering the Belgian market via Germany covered 13% of peak demand. In addition, the underground storage at Loenhout accounted for 7%, and 1% came from the LNG terminal in Zeebrugge.

Figure 28: Breakdown of the peak offtake by user segment in 2017 (Source: CREG)

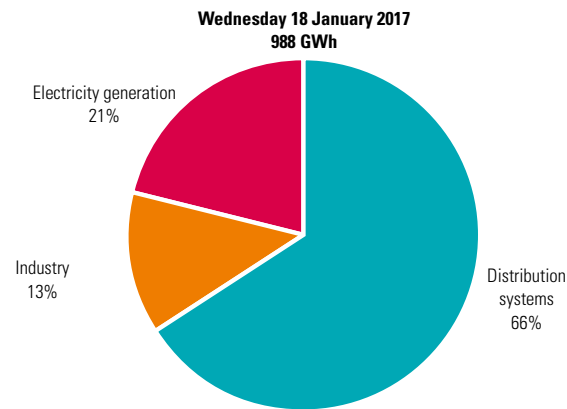
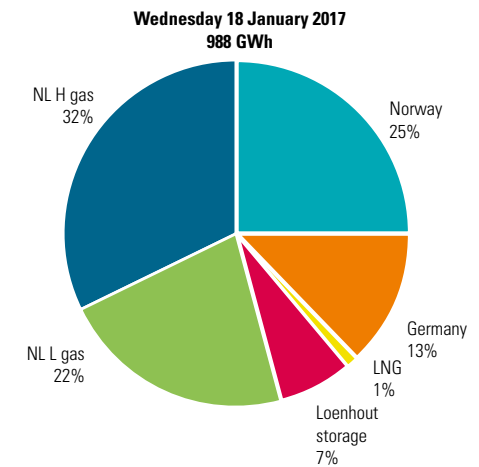


Figure 29: Breakdown of the sources of natural gas to cover the peak offtake in 2017 (Source: CREG)





# 5



# The CREG





### 5.1. CREG's board of directors and staff

The board of directors is responsible for the operational management of the CREG and undertakes everything that is necessary or useful for the fulfilment of the duties assigned to it by the Electricity Act and the Gas Act.

The Chair and the three Directors who make up the board of directors are appointed by Royal Decree after consideration by the Council of Ministers for a six-year term of office, which can be renewed once. They deliberate as a board in accordance with the usual rules on deliberating meetings.

Since 1 September 2013, Mrs Marie-Pierre Fauconnier has acted as Chair of the board of directors, a role which includes responsibility for managing the CREG.

The three Directors are Mr Laurent Jacquet, who is in charge of price and accounts monitoring, Mr Koen Locquet, who heads up the administrative directorate, and Mr Andreas Tirez, who is in charge of the technical operation of the electricity and natural gas markets.

In 2017, the CREG board of directors made a number of amendments to its internal regulations. These amendments were previously the subject of a public consultation. The way in which the CREG board of directors handles the possible confidentiality of information in the context of its publications has been adapted (Article 47). In addition, article 40 was amended to take account of the Law of 8 July 2015 amending the Belgian Gas Act and the European Regulation establishing the Capacity Allocation and Congestion Management (CACM).

Finally, there are a number of more cosmetic adjustments which aim to clarify and improve the text. In order to continuously improve the operation of the CREG, the internal regulations of the board of directors are evaluated on a regular basis and amended when necessary. The amendments to the internal regulations entered into force on the day of their publication in the Belgian Official Journal, 12 January 2017.

On 19 June 2017, at the request of the Commission on Economy of the Chamber of Representatives, the CREG also issued an opinion (A)1645 on the legislative proposal of 7 March 2017 concerning the power of decision within the management committee of the CREG (Parl. St., Chamber, session 2016-2017, no. 54 2345/001).



Table 13: Directorates and staff of CREG as of 31 December 2017

<b>CHAIR OF THE BOARD OF DIRECTORS</b>	
FAUCONNIER Marie-Pierre	Chair of the board of directors
DEVACHT Christiane	Executive Assistant
FIERS Jan	Secretary of the board of directors
DE VREESE Annemarie	Communications Manager
VAN HAUWERMEIREN Geert	European Strategic Advisor
COZIGOU Liana	Advisor
<b>DIRECTORATE FOR THE TECHNICAL OPERATION OF THE MARKETS</b>	
TIREZ Andreas	Director
GOOVAERTS Wendy	Management assistant
VAN KELECOM Inge	Multi-functional secretary
GHEURY Jacques MARIEN Alain MEES Emmeric VAN ISTERDAEL Ivo WILBERZ Eric	Chief Advisors
CLAUWAERT Geert CUIJPERS Christian DE WAELE Bart PONCELET Yves	Senior Advisors
FILS Jean-François MAENHOUDT Marijn SCHOUTTEET Nico VERHELST Clara	Advisors
<b>DIRECTORATE FOR PRICE AND ACCOUNTS MONITORING</b>	
JACQUET Laurent	Director
FELIX Kim	Executive Assistant
CORNELIS Natalie LAERMANS Jan	Chief Advisers
ALLONSIUS Johan BARZEELE Elke DEBRIGODE Patricia DUBOIS Frédéric HERNOT Kurt JOOS Benedikt MAES Tom SOFIAS Anastasio	Senior Advisors
COBUT Christine LIBERT Brice MAY Kristof PIECK An WILMART Gilles	Advisors
<b>DIRECTORATE FOR GENERAL AFFAIRS</b>	
LOCQUET Koen	Director
SELLESLAGH Arlette	Executive Assistant
<b>Gas and Electricity Advisory Board</b>	
DE LEEUW Han HERREZEEL Marianne	Advisors
<b>General Administration</b>	
BAUWENS Evi SAMYN Emilie VAN ZANDYCKE Benjamin	Translators
LOI Sofia	Administration and logistics coordinator
JUNCO Daniel	Logistics staff member
CEUPPENS Chris DE DONCKER Nadine HAMELRIJCKX Maryse WYNS Evelyne	Multi-functional office staff
<b>HR Service</b>	
SMEDTS Hilde	Senior Legal Advisor
QUERTINMONT Carole	Advisor
VAN MAELE Nele	Administrative Assistant
<b>IT Service</b>	
DAELEMAN Kurt	Systems and Networks Manager
GORTS-HORLAY Pierre-Emmanuel	Assistant IT staff
<b>Finances</b>	
SCIMAR Paul	Head of Finance
LECOCQ Nathalie	Accountant
CROMBEZ Thomas	Accounting and Administrative Assistant
PINZAN Laurent	Administrative Assistant
<b>Research, Documentation and Archives</b>	
BOUCQUEY Pascal	Chief Advisor
CHICHAH Chorok DETAND Maria-Isabella GODDERIS Philip HEREMANS Barbara ROOBROUCK Myriam STEELANDT Laurence ZEGERS Laetitia	Senior Advisors
HENGESCH Luc	Documentalist

## 5.2. Gas and Electricity Advisory Board

The Gas and Electricity Advisory Board provides advice and acts as a discussion forum, created within the CREG and the Federal Energy Ministry.

The tasks of the Board include:

- setting guidelines for the application of the Electricity Act and Gas Act, and their implementing decrees, on its own initiative or at the Minister's request;
- drafting opinions on any issue submitted to it by the CREG's board of directors;
- acting as a forum for discussing energy policy objectives and strategies.

The Advisory Board held six plenary meetings in 2017.

Mr Jean-François Tamellini acted as Chairman and Mr Peter Claes as Vice Chairman.

Regular participation by a representative of the federal Energy Minister has enabled the Advisory Board to focus its work on the most urgent aspects and to be kept informed periodically of the Government's concerns regarding gas and electricity. The many questions members asked the Minister's representative made it possible to inform her of the concerns of the Advisory Board.

In 2017, the Advisory Board issued one opinion.

Opinion no. 69 regarding report 1566 on the monitoring of disruptive effects on the market as part of the safety net mechanism introduced by Article 20bis, §§1 to 5 of the Electricity Act and Article 15/10bis, §§1 to 5 of the Gas Act (the full opinions follow hereafter):

'The Advisory Board thanks the Board of directors of the CREG for report 1566 on the monitoring of possible distorting effects on the market, for the period 2013-2017, as part of the safety net mechanism introduced by Article 20bis, §§1 to 5 of the Electricity Act and Article 15/10bis, §§1 to 5 of the Gas Act.

The main objective of this third report by the CREG on the safety net is identifying the possible distorting effects on the energy market caused by the safety net mechanism.

As a reminder, the safety net mechanism entered into force on 1 January 2013 to protect household customers and SMEs by supervising the effects of energy price volatility.

On 10 December 2014, at the proposal of the Minister for Energy, Ms Marie-Christine Marghem, the Council of Ministers approved a draft Royal Decree to extend the safety net for both electricity and gas.

Its application is therefore scheduled to end on 31 December 2017. As such, Report 1566 is an important monitoring exercise of the CREG on this subject.

The Advisory Board does not wish to express an opinion on the phasing out of the safety net.

For the sake of transparency and in the interest of customers, the members of the Advisory Board agree to continue certain aspects of the safety net mechanism. Specifically:

- monitoring by the CREG whereby the database of all products for household customers and SMEs is updated (art. 20bis of the law on the organisation of the electricity market of 29 April 1999);
- maintaining the Royal Decrees of 21 December 2012 establishing the exhaustive list of permitted criteria for the indexation of electricity prices by suppliers;
- the legislation therefore needs to be adapted to maintain these provisions despite the phasing-out of the mechanism. The following provisions in article 20bis of the Electricity Act and 15/10bis of the Gas Act need to be retained: § 1 (which specifies that the CREG must set up a database), § 3, first paragraph (which specifies that suppliers must submit information on their tariffs to the CREG in order to establish its database) and § 4bis, first paragraph (on Royal Decrees relating to indexation).

The Advisory Board therefore requests the Minister for Energy to ensure that these two elements are retained'.

Table 14: Members of the Gas and Electricity Advisory Board as of 31 December 2017 (Source: Belgian Official Journal)

	MEMBERS	REPLACEMENT MEMBERS
Federal Government	VANEYCKEN Sven ROOBROUCK Nele CHAHID Ridouane ANNANE Jihane DORREKENS François DASGUPTA Jivan	JUSTAERT Arnout WAEYAERT Nicolas JOURDAIN Sigrid NIKOLIC Diana NICOLAS Stéphane DEMEYERE Frank
Regional Governments	BIESEMAN Wilfried AUTRIQUE Henri JACQUET Annabelle	TANGHE Martine BOHET Maurice DECROP Jehan
Representative employees' organisations sitting on the National Labour Council	VERJANS Mathieu VERHUE Maureen VAN DAELE Daniel DE CROCK Bart	NICAISE Didier VAN WIJNGAERDEN Jan VAN MOL Christiaan SKA Marie-Hélène JONCKHEERE Caroline
Representative employees' organisations sitting on the Council for Consumption	DE WEL Bert STORME Sébastien	QUINTARD Christophe SPIESSENS Eric
Organisations for the promotion and protection of the general interests of small-scale users	ADRIAENSSENS Claude DOCHY Stéphane	RENSON Marie-Christine MOERS Jan
Representative organisations of the industry and the banking and insurance sector sitting on the Central Economic Council	VANCRONENBURG Geert BROUWERS Els VAN der MAREN Olivier	VANDERMARLIERE Frank CALOZET Michel AERTS Kristin
Representative organisations of the crafts, small and medium-sized trading companies and small-scale industry sitting on the Central Economic Council	DE BUYSER Capucine VANDEN ABEELE Piet	DEPLAE Arnaud VAN GORP Michel
Major electricity consumers	CLAES Peter	EELENS Claire
Major natural gas consumers	BRAET Luc	de MUNCK Laurent
Electricity producers that are members of the Belgian Federation of Electricity and Gas Companies (FEBEG)	VAN DEN BOSCH Marc SCHOONACKER Frank	DE GROOF Christiaan de VILLENFAGNE Aude
Electricity producers using renewable energy sources	LAUMONT Noémie	BODE Bart
Electricity producers using cogeneration plants	BOYDENS Jean-Pierre	MARENNE Yves
Industries that generate electricity for their own needs	BÉCRET Jean-Pierre	ZADORA Peter
Distribution system operators - INTERMIXT	GRIFNÉE Fernand HUJOEL Luc DE BRUYCKER Luc	DECLERCQ Christine DEBATISSE Jennifer VERSHELDE Martin
- INTER-REGIES	DE BLOCK Gert	HOUGARDY Carine
Transmission System Operator for Electricity	DAMILOT Julien	MERTENS Steven
Transmission System Operator for Natural Gas	GOSSUIN Luc	DESCHUYTENEER Thierry
Holders of a supply licence for natural gas that are members of FEBEG	VANDEN BORRE Tom VAN NUNEN Carlos	DE BUCK Hilde DEDECKER Gunnar
Environmental associations	VAN DYCK Sara VANDE PUTTE Jan	TURF Jan DE SCHOUTHEETE Cécile
Holders of a supply licence for electricity that are members of FEBEG	HEYVAERT Griet WYVERKENS Herman	GODTS Annemie VAN BOXELAER Kathleen
Market operator for the exchange of energy blocks proposed by BELPEX	MATTHYS-DONNADIEU James	PIERREUX Nicolas

### 5.3. General policy plan and comparative report on the objectives and achievements of CREG

In accordance with the Electricity Act, on 26 October 2017 the Board of directors drew up the general policy note of the CREG for the year 2018.<sup>127</sup> This policy note is a continuation of what has been undertaken by the Board of directors since September 2013 and, specifically, the CREG's Strategy Plan for 2013-2019. The plan sets out the objectives the CREG will be pursuing in 2018 in the framework of its legal duties and its strategy with respect to energy as defined by the federal Parliament and the federal Government. Each specific objective pursued is explained in detail, as well as the resulting activities for the year 2018, together with a list of results to be delivered and the indicative deadlines for reaching them.

The policy plan accompanies CREG's draft budget for the year 2018. Both documents have been submitted to the President of the Chamber of Representatives and to the Chair of the Economic Commission, and the Minister for Energy, and presented during a CREG hearing before the Economic Commission on 5 December 2017.

A comparative report<sup>128</sup> has also been drafted on the objectives formulated in the 2015 policy plan and their completion in 2016. This report, accompanied by the CREG's Annual Report 2015, was submitted to the Energy Minister, the President of the Chamber of Representatives and the members of the Economic Commission on 28 April 2017. In its policy plan for 2015, the CREG identified 13 objectives to be achieved.

These objectives can be broken down into 284 actions corresponding to individual tasks to be completed. The

comparative report shows, for each action, the degree of completion achieved and provides a reason in the case of partial or non-completion. It is provided as an annex to the CREG's Annual Report.

### 5.4. Handling questions and complaints

The CREG continued to handle the questions and complaints raised by consumers, businesses in the sector, lawyers, consultants, researchers, students, administrations, federal and regional mediation services or international bodies on a voluntary basis in 2017.

In addition, CREG also continued to cooperate with the Federal Energy Mediation Service, the three regional energy regulators (BRUGEL, CWaPE and VREG) and the FPS Economy, SMEs, the Self-employed and Energy (Directorate-General for Economic Inspection and Directorate-General for Energy). This cooperation is the result of an agreement signed in 2011 in which the services involved agreed on the procedure for the handling of complaints and questions that do not fall under the competence of the service that receives the complaint or question.

In 2017, the CREG also sent the Federal Energy Mediation Service its statistics on the complaints it received in 2016, in the context of the annual reporting obligations of the Mediation Service's office to DG SANCO of the European Commission. Of the 324 requests received between 1 January and 31 December 2016, the CREG dealt with 31 complaints directly.

Finally, in 2017 no use was made of the possibility for anyone who considers that they have been disadvantaged by a CREG

decision to ask the CREG to review their case, and the Chamber of Disputes<sup>129</sup>, a body of the CREG, could not yet start work in 2017, in the absence of a decision on the appointment of its members.

### 5.5. CREG website

On 10 February 2017, the CREG launched a new online tool for private individuals, the self-employed and SMEs: the CREG Scan.

This online tool is a first for Europe. With the CREG Scan, Belgium is the first country in which consumers can compare their energy contract with all existing contracts, even if they are no longer available on the market.

The CREG Scan is easy to use and is complementary to existing price comparison websites, which only compare active electricity and natural gas products. The CREG Scan is aimed at ensuring that consumers make informed decisions and, especially, that they have all the information.

The CREG Scan shows how the electricity or natural gas contract concluded by the consumer in the past relates to the cheapest and most expensive product currently on the market. Consumers can also find out whether the product is still actively being offered or whether it is a dormant product, which can no longer be found on the price comparison websites.

<sup>127</sup> General policy note (Z)1696 for 2017.

<sup>128</sup> Comparative report (Z)170420-CDC-1621 of the objectives formulated in the CREG's general policy note and the accomplishments of the year 2016.

<sup>129</sup> The Dispute Resolution Chamber must resolve disputes between transmission system operators and users as regards the obligations imposed on TSOs, DSOs and the operators of closed industrial systems, with the exception of disputes over contractual rights and obligations.

## 5.6. Presentations made by CREG

Table 15: Overview of presentations made by members of the CREG in 2017

ORGANIZING BODY	EVENT	TITLE OF THE PRESENTATION	DATE
Conseil Régional Wallon Intermix/ Bruxelles		Contexte géopolitique international et récents développements européens en matière d'énergie	18/01
FEBELIEC	3rd Energy Forum in Brussels	The Winter package	31/01
		Facilitating the access of demand side response to electricity markets in Belgium	
Chambre des représentants - Kamer van Volksvertegenwoordigers	Audition - Hoorzitting	Étude 1568 relative à l'analyse du soutien à l'énergie éolienne <i>offshore</i>	7/02
Conseil consultatif - Adviesraad	GT fonctionnement du marché – électricité et gaz	Étude 1583 relative à la rentabilité d'unités de production locales contrôlables	10/02
		Étude 1600 relative à la fourniture d'électricité des grands clients industriels en Belgique en 2015	
		Note 1601 relative aux évolutions marquantes sur les marchés de gros de l'électricité et du gaz naturel en 2016	
Conseil consultatif - Adviesraad	GT composants des prix	Rapport 1566 relatif au monitoring des éventuels effets perturbateurs sur le marché dans le cadre du mécanisme du filet de sécurité introduit par l'article 20bis, §§1 <sup>er</sup> à 5 de la Loi électricité et l'article 15/10bis, §§1 <sup>er</sup> à 5 de la Loi gaz	13/02
CEER	Legal Training on Evolving regulatory Processes in European Energy Policy	New Rules of Procedure of the ACER working groups?	13-14/02
		How to ensure NRA and ACER independence	
		Evolving Regulatory Processes in European Energy Policy, New rules of procedure of the ACER working groups	
Conseil consultatif - Adviesraad	GT énergies renouvelables	Étude 1568 relative à l'analyse du soutien à l'énergie éolienne <i>offshore</i> incluant le rapport annuel sur l'efficacité du prix minimum pour l'énergie éolienne <i>offshore</i>	15/02
ACER	AENM TF - CACM TF	Process to update the CCR Decision with new BZ borders	15-16/02
CEER	REMIT TRAINING	Experiences and practical examples on data reporting	22/02
European Platform of Circular Economy	Formation « Comprendre les marchés du gaz et de l'électricité et sécuriser ses achats d'énergie »	Étude 1600 relative à la fourniture d'électricité des grands clients industriels en Belgique en 2015	23/02
Florence School of Regulation - CEER	Joint Training	Energy Regulation Explained	6/03
FORBEG	WG GAS	Noodleverancier	15/03
Conseil consultatif - Adviesraad	GT composants des prix	Projet de nouvelle charte de bonnes pratiques pour les sites Internet de comparaison des prix de l'électricité et du gaz pour les consommateurs résidentiels et les PME	22/03
Conseil consultatif - Adviesraad	GT SoS	Décision 1598 relative à la proposition de la SA Elia System Operator relative aux règles de fonctionnement de la réserve stratégique applicables à compter du 1 <sup>er</sup> novembre 2017	23/03
Fluxys Belgium	International Shippers meeting, Düsseldorf	Clean Energy for all European mirroring gas	23/03
CREG Conference	La nouvelle gouvernance et la régulation dans le secteur énergétique	New Governance and Regulation in the Energy Sector	24/03
ELIA	ISR TF (Implementation of Strategic Reserves)	Draft decision CREG (B)1619 of 23/03/2017	30/03
IUK-OFGEM-CREG	Meeting	Market merger IUK - Belux / Way Forward	18/04

ORGANIZING BODY	EVENT	TITLE OF THE PRESENTATION	DATE
ELIA	Elia Regulatory Workshop	The Single Market for Energy : a crucial role for TSOs	5/05
		Clean energy for all : a European regulatory vision	
BIRD & BIRD	EU Winter Package Unpacked Conference	Introduction to scarcity pricing - ensuring that balancing and imbalance prices reflect the value of energy	10/05
CEER	Training on wholesale market monitoring	Wholesale Market Monitoring - Let's not forget the important role of TSOs	10/05
DUFRESNE	Energy Storage World Forum	Where can Energy Storage profit through International Electricity Trading based on energy shifting and grid services	12/05
ACER	Workshop on WDO's	System-wide WDO - BeLux	15/05
ACER	Peer Review Security Policies	Security Policies	18/05
CIBM Workshop	Clean Energy Package proposals	Enhanced independence of regulators? - focus on Administrative Board	22/05
		Regional Cooperation	
		Clean Energy Package proposals: Enhanced independence of regulators? - focus on Administrative Board	
CWE	PLEF SG1	CWE NRAs update on CWE FB market coupling	23/05
CEER	ITRE workshop	Clean energy and demande side response	30/05
CEER	Energy Charter Strategy Group	European independent Energy regulation	7/06
FEBEG	WG GAS	Market merger IUK - Belux / Way Forward	8/06
Conseil consultatif - Adviesraad	GT composants des prix	Étude 1616 sur les composantes des prix de l'électricité et du gaz naturel	14/06
FLUXYS	SEMINARIE FLUXYS - CREG	Régulation du terminal méthanier de Montoir-de-Bretagne	16/06
IBPT - CREG	WORKSHOP IBPT - CREG	Energizing consumer experience	21/06
		L'agrégation dans les marchés de l'électricité au tournant du numérique	
FORBEG		Un nombre important de ménages a (toujours) des contrats d'énergie chers	26/06
FOD ECONOMIE	Electriciteitswerkgroep België/Nederland	Flow Based Market Coupling / CREG proposal for CBCO Selection Method	10/07
RegulaE.FR		L'indépendance en pratique : la CREG	11/07
Conseil consultatif - Adviesraad	GT fonctionnement du marché - électricité et gaz	Étude 1639 relative à la composition des portefeuilles de produits par fournisseur et au potentiel d'économies pour les PME et les indépendants sur le marché belge de l'électricité et du gaz naturel	13/09
		Étude 1626 relative à la composition des portefeuilles de produits par fournisseur et au potentiel d'économies pour les ménages sur le marché belge de l'électricité et du gaz naturel	
		Note 1633 - Analyse des prix <i>day-ahead</i> pour fourniture à l'heure 12 le 6 avril et à l'heure 10 le 10 avril	
		Note 1655 - Review of CWE <i>day-ahead</i> market results during May 1 2017	
Parlement européen - Europees Parlement	The role of National Regulatory Authorities on the EU Energy Market after 2020	NRA's and the Clean Energy Package	27/09
CWE	Consultative Group meeting	Note 1655, Review of CWE day-ahead market results during May 1 2017	28/09
CEER	Training on Regulation of European gas markets and Implementation of Network codes	Course lecture on 'Belux Market integration'	23-24/10
STIBBE	Client Seminar Flexibility	Flexibility and the regulators – why we needed new rules	26/10

## 5. The CREG

ORGANIZING BODY	EVENT	TITLE OF THE PRESENTATION	DATE
Conseil consultatif - Adviesraad	GT fonctionnement du marché - électricité et gaz	Étude 1673 sur la fourniture en gaz naturel des grands clients industriels en Belgique	13/11
		Étude 1609 : "Study on the functioning and price evolution of the Belgian wholesale electricity market – monitoring report 2016"	
Powernext	REMIT market surveillance	The gas market in Belgium	17/11
FEBELIEC	WG Electricity	Low Belgian import capacities threatening Belgian competitiveness Why and what to do about it?	21/11
		Beslissing (B)1598 van 9/02/2017 over werkingsregels strategische reserve – nieuwe regels SDR	21/11
Conseil consultatif - Adviesraad	GT composants des prix	Nouvelle charte de bonnes pratiques pour les sites Internet de comparaison des prix de l'électricité et du gaz pour les consommateurs résidentiels et les PME	22/11
Conseil consultatif - Adviesraad	GT fonctionnement du marché électricité	Clean energy Package	29/11
DG ENER		EU market design at a cross-road?	4/12
Chambre des représentants (commission Économie) - Kamer van Volksvertegenwoordigers (Commissie Bedrijfsleven)	Audition-Hoorzitting	Budget - Note de politique générale 2018 Begroting - Algemene beleidsnota 2018	5/12
Conseil consultatif - Adviesraad	GT composants des prix	Modifications légales et réglementaires à la cotisation fédérale électricité - Soldes des GRD et autres	11/12
Chambre des représentants (commission Économie) - Kamer van Volksvertegenwoordigers (Commissie Bedrijfsleven)	Audition-Hoorzitting	Note de la CREG relative à l'étude d'Elia "Electricity scenarios for Belgium towards 2050" / Nota van de CREG over de studie van Elia "Electricity scenarios for Belgium towards 2050"	12/12
Conseil consultatif - Adviesraad	GT fonctionnement du marché – électricité et gaz	Note 1651 relative aux mesures tendant à améliorer le fonctionnement du marché : mise à jour de la note (Z)160711-CDC-1546	20/12
		Étude 1681 relative au fonctionnement et à l'évolution des prix sur le marché de gros belge pour le gaz naturel - rapport de surveillance 2016	
		Étude 1678 relative aux prix pratiqués sur le marché belge du gaz naturel en 2016	

## 5.7. CREG and other bodies

### 5.7.1. CREG and the European Commission

The CREG has taken part, either directly or indirectly, in the work of the European Commission, for example by participating in the Seminar on Managing European and National agendas on Energy Regulation, the Conference on the European Network Codes and the high-level debates on the state of play and future of regulation in electricity markets and infrastructures.

The CREG fulfilled its advisory duties by assisting the authorities during the various meetings chaired by the European Commission. These included, firstly, meetings to follow up and approve European network codes (see point 5.7.2 of this report) and secondly to participate in the meetings of the Gas Coordination Group with regard to security of supply and development of the gas infrastructure in the European interest. Similarly, the CREG also participated in the meetings of the Electricity Coordination Group as regards security of electricity supply, development of electricity interconnections and cyber security.

In its role as a CEER member, the CREG has also, as in previous years, provided assistance in numerous consultations and reports for the benefit of the European Commission (see section 5.7.3. of this report).

In a similar vein to these activities, the CREG has also actively participated in the forums chaired by the European Commission, including the European Gas Regulatory Forum, European Electricity Regulatory Forum, Citizens' Energy Forum and Energy Infrastructure Forum (see points 5.7.4 to 5.7.7).

Finally, the 2016 National Report from Belgium<sup>130</sup> was submitted to the European Commission and ACER by the CREG. This was written in close collaboration with the regional regulators (BRUGEL, CWaPE and VREG) and the Federal Energy Mediation Service, and includes the measures taken and the results obtained within the framework of the legal missions of these bodies.

Finally, if they have been informed, the CREG responds to several questionnaires within the framework of the harmonisation and integration of the European gas and electricity markets. In 2017, this related, inter alia, to the following issue: Questionnaire on Support for monitoring and implementation of the Cost Reduction Directive SMART 2015/0066.

### 5.7.2. CREG within ACER

ACER (the Agency for the Cooperation of Energy Regulators) was created by the third energy package in order to encourage the completion of the interior energy market, both for electricity and for natural gas.

The three objectives that the agency has formulated based on the drawn-up legislation concern:

- a more competitive integrated market offering more choice to consumers;
- an efficient energy infrastructure in which the free movement of energy beyond borders and the transmission of new energy sources are guaranteed, thereby improving security of supply for the companies of the European Union and consumers;
- a controlled and transparent energy market in which consumers pay a price which is guaranteed to be honest and reflect costs, and in which abuse is prevented.

ACER developed activities for each of these objectives in 2017, according to the challenges thrown up by the energy market. For example, as regards the further development of a future-proof European energy market, the main key issues and the associated regulatory challenges identified in the European Commission's 'Clean energy for all Europeans' legislative package of 30 November 2016 were discussed on various occasions.

ACER welcomes, in consultation with the CREG and all other national energy regulators in the European Union, the efforts of the European Commission to promote the integration of renewable sources into the market, and maximise the use of cross-border interconnection capacity through more flexible price signals. However, calls are made to avoid overly prescriptive rules that could stifle the market and innovative initiatives.

Of greater concern to the CREG is the impact and level of regional regulatory supervision. While confirming that the local specificities of energy markets need to be taken into account, consistency between regional developments also needs to be monitored in order to achieve a well-functioning EU-wide internal energy market. Adequate regional regulatory oversight, including with regards to other EU organisations – including the European Network of Transmission System Operators (ENTSO's), the future Distribution System Operators (DSO) body and the Nominated Electricity Market Operators (NEMOs) – will be one of the focal points that ACER will need to shape in the coming years.

In addition, the issuing of opinions supported the further development of an efficient energy infrastructure. For example, for the first time, the ENTSOs, both for electricity and natural gas, were able to consult each other in order to draw up their scenarios, which form the basis of their ten-year network development plan.

Similarly, ACER, in consultation with the CREG and all other national energy regulators, contributed to the European Commission's approval of the third list of projects of common interest in 2017.

Finally, ACER has intensified its supervision to ensure transparency and integrity in the energy markets. Two years of experience, since the start of data reporting by the stakeholders involved, has been discussed in the first Energy Market Integrity and Transparency Forum. The CREG is also doing everything it can to continue to instil confidence in the trade in electricity and natural gas. It does this partly on its own initiative and partly at the request of ACER. Cooperation between supervisory bodies remains a key element in this respect.

In addition to these future-oriented structural and strategic reforms, work on the creation of the integrated energy market continued in 2017. Within the Agency, the CREG collaborated in the preparation and implementation of the technical documents necessary in this regard.

#### ■ *The Gas Working Group*

With regards to natural gas, the following points can be cited:

The implementation and monitoring reports in which the CREG participated (including the fourth monitoring report on congestion at the interconnection points, the second report on the implementation of the network code on gas balancing of transmission networks and the first report on the implementation of the network code on interoperability and data exchange) were published by ACER. They give a clear idea of the situation in Belgium compared to the other European Member States. Each time, implementation in Belgium appears to meet the requirements.

<sup>130</sup> National report Belgium 2017 to the European Commission and ACER, 17 July 2017: [https://www.ceer.eu/documents/104400/5988265/C17\\_NR\\_Belgium-NL.pdf/17fccf6-dc4f-6b4f-3cf4-621670530d72](https://www.ceer.eu/documents/104400/5988265/C17_NR_Belgium-NL.pdf/17fccf6-dc4f-6b4f-3cf4-621670530d72)



On 16 March 2017, the network code on capacity allocation mechanisms in gas transmission systems was amended, and the network code on harmonised transmission tariff structures for gas was adopted. The latter network code is the final element in the design of the European natural gas market. Both in its function as co-chair of the task force within ACER and in its role as advisor to the government, the CREG has made an important contribution to its development. The CREG is now responsible for the implementation of both network codes within the stated deadlines.

■ *The Electricity Working Group*

The ACER EWG is made up of the following task forces (TF):

- CACM TF, which is responsible for the introduction of the network code CACM (Capacity Allocation and Congestion Management);
- FP TF, which is responsible for developing the future rules of the electricity market;
- FCATF, which is responsible for implementing the network code FCA (Forward Capacity Allocation) as regards long-term transmission capacity allocation;
- BAL TF (BALancing), which is responsible for matters relating to the balancing of the control area;
- INF TF, which is responsible for matters related to the development of the network and the 10-year plan of ENTSO-E (European Network of Transmission System Operators for Electricity);
- SOGC TF (System Operation and Grid Connection), which is responsible for questions relating to system operation and grid connection.

The CREG jointly leads the CACM and FP task forces.

In 2017, the EWG focused its activities on implementing the CACM network code. This required a large number of coordinated decisions at European or Core region level.

These coordinated decisions require a considerable amount of work and follow a very formal process described in the network code. These decisions are shown above in point 3.1.4.5.

The reactions to the different versions of the new legislative package of the European Commission were coordinated by the FP TF on issues relating to the design and operation of the markets. Among other things, the EWG has contributed to preparing the White Papers on the integration of renewable energy sources into the market, to facilitating flexibility and to the formation of efficient market-based electricity prices.

The ACER EWG has also coordinated the work of the monitoring report prepared by ACER.

Finally, the EWG, and specifically BAL TF, contributed to the finalisation of the corresponding draft network code, which was adopted in November 2017.

■ *The Market Integrity and Transparency Working Group*

As part of ACER's third objective, additional monitoring tasks were elaborated, namely the implementation of the REMIT Regulation.<sup>131</sup> On 7 October 2017, it was two years since the data were collected under this regulation.

The Market Integrity and Transparency Working Group is working on the implementation of the REMIT Regulation.

In 2017, the activities of the working group focused on the quality of data reported to ACER, market supervision and control of the conduct of market participants, information sharing with the other authorities (financial regulators, competition authorities, etc.) and analysis of the specific nature of the energy market in relation to the financial market with the advent of new financial regulations.

As part of the improvement of the data collected by ACER, the manuals for the declaration of information were revised in order to define the information to be provided by market participants more accurately. In this context, ACER also published an open letter for organised marketplaces to bring the problem of the quality of the data transmitted to their attention. The work on the quality of the data is discussed with the Market Supervision and Conduct Department, so that it corresponds to the analysis needs of the market, to be able to detect market abuse.

As regards market supervision and controlling the conduct of market participants, the working group prepared and added an additional chapter to the market supervision strategy document on governance laying down the responsibilities and tasks of market surveillance between the Agency, the national energy regulators, NRAs and the obligations of persons professionally arranging transactions (PPAT). In addition, a PPAT monitoring document was drawn up to ensure consistency in applying the provisions relating to the obligations of PPAT (Article 15 of Regulation 1211/2011). These documents are intended for internal use within ACER and the NRA. A memorandum was published for market participants on the conduct to be avoided as regards wash trade.

As regards the sharing of ACER data with other authorities (financial regulators, competition authorities, etc.), more detailed rules have been drawn up on sharing confidential information in the context of REMIT in an interpretation document on Article 17.4.

In terms of analysis of the specific nature of the energy market in relation to the financial market, various questions have been raised in connection with the introduction of new financial regulations (MiFID II).

<sup>131</sup> Regulation (EU) No 1227/2011 of 25 October 2011 on wholesale energy market integrity and transparency.

During the meetings with ACER, the suspected cases of market abuse from NRAs were also discussed in order to exchange experiences. At the Belgian level, several cross-border cases were discussed in the working groups led by ACER, in order to ensure coordination between the various NRAs involved.

#### ■ Questionnaires

Finally, the CREG actively contributed to the creation of ACER questionnaires and responded to them within the framework of the harmonisation and integration of the European gas and electricity markets. In 2017, these related, inter alia, to the following issues: Questionnaire on Retail Markets Monitoring: MMR retail 2016 – Standard incumbent offer breakdown (AREA), Questionnaire on derogation requirements on NC RfG, Questionnaire on NRAs: ITC and G-charge 2016, Questionnaire on Gas Regional Investment Plans (GRIPS) (ACER gas infrastructure Task Force), Questionnaire on ACER joint infrastructure Task force: Ten year network development plan (TYNDP 2018), Questionnaire on GTM activities: NRA self-assessment'.

All these questionnaires were used as a basis to write reports, status reviews, position papers and other documents issued by ACER. They not only give a detailed description of the differences and similarities between the Member States, but also provide information on the degree of application of European legislation in each Member State. The European Commission, for its part, uses these documents as the basis for the creation of legal initiatives.

### 5.7.3. CREG within CEER

In its role as a founding member of Council of European Energy Regulators (CEER), in 2017 CREG also took an active part in the discussions, deliberations and decisions of the CEER's General Assembly, which met nine times in 2017.

Since May 2015 the Chair of the board of directors of the CREG, Mrs Marie-Pierre FAUCONNIER, has acted as Vice-Chair of CEER. Her mandate was extended in 2017.

The CREG actively took part in the working group meetings of the CEER (and of the task forces and work streams set up within these different working groups) as a Chair, Co-Chair, or member.

#### ■ The Electricity Working Group

The Electricity Working Group (EWG) of the CEER focuses on matters related to the European electricity systems, security of supply and sustainable development.

The EWG is made up of two task forces, one Sustainable Development TF dealing inter alia with renewable energy issues, and one Future Policy Task Force dealing with the elaboration of future rules for the electricity market. The CREG is joint manager of the latter task force.

In 2017, the EWG contributed, inter alia, to the preparation of several White Papers published by the CEER in response to the work of the European Commission on the proposals of the 'Clean energy for all Europeans' package.

The White Papers in question relate, inter alia, to the integration of renewable energy sources into the market, to facilitating flexibility, the compensation mechanisms as regards capacity, and issues relating to the suitability of the system and the formation of efficient market-based electricity prices. The EWG has also worked on the auction procedures as a means of supporting renewable energy sources.

#### ■ The Gas Working Group

The Gas Working Group (GWG) of the European energy regulators is dedicated to dealing with questions linked to the European gas transmission systems and the European Union's

gas market. The CREG fulfils the role of vice-chair, and was also acting chair in the second half of 2017.

The GWG works on the various issues in close collaboration with ENTSOG, GSE and GLE, as well as with the other market players, and the other working groups of ACER and CEER.

In 2017 the CEER GWG approved the following documents:

- Barriers for storage product development Report;
- CEER Solidarity Guidance Note;
- Removing LNG Barriers on gas markets.

In addition, within the GWG, the CREG contributed to the ACER/CEER Market Monitoring Report and the CEER 7th Benchmarking Report. It also participated in the Madrid Forum (see point 5.7.4 of this report), and the CEER workshop on barriers for storage product development. It is important to note that the CREG, together with other national regulators, has launched and financed a study under the umbrella of the CEER on the future role of natural gas from a regulatory point of view. This work will be published in 2018, and continued with the development of a vision text.

#### ■ The Market Integrity and Transparency Working Group

The Market Integrity and Transparency Working Group (MIT WG) deals with matters relating to transparency and the surveillance of energy exchanges, as well as the correlation between the legislation of the wholesale energy market and that of the relevant financial market. As such, the MIT WG is tasked with tracking all the measures concerning the operation of the energy markets and the surveillance of energy exchanges in general. This specifically includes the legislative proposals and the questions linked to energy exchanges, for example the decrease of VAT fraud on the energy markets.

In 2017, the MIT WG primarily focused its attention on the following two cases:

- the implementation of the REMIT legislation at the national level. In order to monitor the national implementation of the REMIT legislation and provide a tool for comparison, in 2017 a questionnaire was sent to the national regulatory bodies.
- the interaction between financial legislation and REMIT legislation. In 2017 the MIT WG continued to collaborate with the EPU (European Policy Unit) in order for the main aspects of progress in financial legislation and the impact for REMIT to be presented at each meeting.

■ *The Implementation, Benchmarking and Monitoring Working Group*

The Implementation, Benchmarking and Monitoring Working Group (IBM WG), the successor of the Implementation, Benchmarking and Policy Working Group and the Energy Package Working Group, carried out its work in 2017 on the basis of continuity. The CREG plays a leading role within this working group and its task forces. It also chairs the working group.

The IBM WG consists of three task forces:

1. The Incentives Regulation and Efficiency Benchmarking Task Force (IRB TF), as its name indicates, is primarily in charge of benchmarking. This task force ensures that essential information is collected and exchanged between NRAs in view of the performance of their regulatory duties and hence to encourage coherent regulatory practices throughout Europe. The main two activities of the IRB TF are the annual drafting of the Investment Conditions Paper, which gives a comprehensive picture of the investment conditions of the transmission system operators in Europe on the one hand, and the activities as part of the TSO Efficiency Benchmark on the other. In 2017, preparations were made to launch a next cycle on the TSO Efficiency Benchmark. Based on the experience and know-how acquired, it was decided to launch a gas and electricity TSO benchmark in parallel. The CREG decided to participate in

this exercise. ACM, the Dutch NRA, is in charge of this project and the contract with the consultant was concluded in November 2017.

2. The activities of the Market Monitoring and Reporting Task Force (MMR TF) in 2017 were mainly focused on drawing up the retail market chapter of the Joint Market Monitoring Report. After ACER announced that it could no longer carry out the drafting of this chapter, the CEER decided to write this chapter on retail market monitoring itself. The MMR TF and IBM WG took this on board, and the final result was approved by the CEER in November 2017.

In addition, the MMR TF once again organised an internal workshop in late 2017 to share experiences and best approaches to market monitoring different NRAs. This resulted in a number of lessons learned and best practices.

3. The Legal Task Force (LTF) issues opinions on the legal and institutional aspects involved in the implementation of the third energy package. It also deals with specific legal questions from other national regulators concerning the implementation of provisions of European regulations (in 2017, for example, a number of ad hoc legal questions from national regulators were addressed, concerning the unbundling rules in the various member states and the legal review of European acts at national level). This task force also provides legal advice to the IBM WG or to other working groups if specific legal support is requested in the performance of their tasks.

In 2017, an important part of the LTF's work consisted of analysing a number of aspects of the various regulatory proposals from the European Commission that are part of the new Clean Energy Package. In this context, the LTF carried out a series of legal analyses and prepared a number of white papers. Important input was also provided to other CEER working groups in this respect.

Furthermore, the work of the LTF in 2017 was dominated by the next report and the following activity:

The Report on Investigatory and sanctioning powers of the NRAs, which provides an overview of the investigatory and sanctioning and powers of the NRAs, as well as an analysis of the way in which the third package is implemented on these issues in the various Member States. The report highlights that some of the specific investigatory and sanctioning powers of NRAs may vary according to national legislative provisions.

The investigation carried out on the basis of a specific questionnaire shows that the national legislation of the participating NRAs provides for appropriate investigatory and sanctioning powers for NRAs to fulfil their obligations at national level, and that both NRAs and ACER have effective powers in this regard to ensure proper compliance with the third package. The powers of the national regulators and ACER in this area are complementary (with investigation and enforcement being a national matter), specifically to ensure the efficient implementation of the third package and the decisions made by ACER. This two-level structure ensures that the third package is implemented in a coordinated and consistent manner, while taking into account the specific nature of national and regional markets, in line with the principles of subsidiarity and proportionality.

The organisation of the two-day CEER Legal Training on Evolving Regulatory Processes in European Energy Policy which was held in February 2017.

The CEER Training Academy, organised by IBM WG, also continued its training programme in 2017, and the IBM WG was involved in 40% of the training sessions.

### ■ *The Customers and Retail Markets Working Group*

The Customers and Retail Markets WG (CRM WG) gives priority to the interests of consumers by promoting consumer responsibility and encouraging the functioning of the retail market with a view to developing the best possible competition. Energy consumers must have the possibility to actively participate in competitive and integrated energy markets. In this context, the CRM WG closely monitors consumer protection, but also strives to ensure that consumers have sufficient resources (e.g., price comparison tools) to make well-informed decisions on the energy market.

The CRM WG consists of three task forces and one work stream:

- the Customer Empowerment Task Force (CEM TF) handles aspects related to the retail market, such as billing to end consumers, handling their complaints, procedures for settling extra judiciary disputes, price comparison tools, the protection of vulnerable energy consumers, etc.
- the Retail Market Functioning Task Force (RMF TF) considers questions relating to the smooth functioning of the retail market, including the introduction of smart meters and the design of the electricity and gas markets. This task force aims to ensure the best possible competition between market players and transparent and reliable market procedures for consumers. As such, the task force aims to increase responsibility among energy consumers.
- the Strategy and Communication Task Force (SCTF) works on the development and implementation of the 2020 Vision for Europe's energy customers. Among other things, the SCTF develops new forms of communication and new approaches to strengthen the CEER's work as regards consumer interests.

- the Market Monitoring Report Work Stream (MMR WS) is responsible, within the annual ACER-CEER Market Monitoring Report, for the section dealing with customer protection and empowerment.

In 2017, the emphasis, inter alia, was on good dialogue with various consumer organisations, including BEUC, an umbrella organisation in Brussels representing the interests of all European consumers. In addition, a new initiative, the Partnership for the Enforcement of European Rights (PEER), was supported and further developed. PEER works across sectors to promote the interests of energy consumers. The importance of this initiative will increase further as a result of the energy transition in a digital world (e.g.: smart meters and the Internet of things).

Finally, in 2017 the CRM WG also participated in a number of workshops and conferences, including the CEER-ECRB<sup>132</sup> Workshop on Consumer Issues, the CEER Annual Customer Conference and the Workshop on Retail Energy Market Self-Assessment.

### ■ *The Distribution Systems Working Group*

The Distribution Systems Working Group (DS WG) deals with potential developments and changes in the energy distribution sector, consequences for the regulatory framework and matters related to the current and future activities of the distribution system operators, namely the quality of electricity and natural gas supply, cyber security, smart networks and flexibility in the operation of the distribution systems.

In 2017, the DS WG completed two documents and published them, namely the CEER report on Power Losses and the CEER Guidelines of Good Practice on Electricity Distribution Network Tariffs.

The first document gives an overview of the losses on the electricity networks (transmission and distribution), the level of the losses and the way in which they are determined, calculated and evaluated in 27 European countries. The second document outlines the guidelines of the CEER in the area of best practice, to assist national regulatory authorities in the future design of distribution tariffs.

### ■ *International Relations Group*

The chair of the CREG was re-elected in 2017 to take over the leadership of this International Relations Group (IRG), whose name has been changed slightly to better reflect its work.

The International Strategy Group (ISG) is responsible for forging and maintaining links with its counterparts in third-party countries and with international institutions in the energy regulation sector. The primary objective of creating the international system is to exchange good regulatory practices throughout the world and to issue specific opinions on the matter upon request from a member of CEER.

In 2017, the IRG continued to implement its general strategy, initially developed for the Energy Community Secretariat (EnC), the Mediterranean Energy Regulators (MedReg) and the Energy Charter Secretariat (ECS), with other organisations, including the Eastern Partnership. Although the search for common themes is not always easy due to the different legislative frameworks, the exchange of best practice and participation in mutually organised workshops also continued in 2017.

<sup>132</sup> Energy Community Regulatory Board.

Based on its responsibilities within the IRG, the CREG provided technical support for the organisation in the context of the International Confederation of Energy Regulators (ICER) of the triennial World Forum for Energy Regulators, which in 2018 will take place in Cancun, Mexico. Together with other active colleagues within and beyond Europe, the CREG helped to develop the programme and the composition of the panels. For 2017, the activities within ICER remain limited to organising the EU-US round table and the ARIAE workshop, as was the case in 2016.

#### ■ Questionnaires

Finally, the CREG actively contributed to the creation of the CEER questionnaires and responded to them within the framework of the harmonisation and integration of the European gas and electricity markets. In 2017, the questionnaires related inter alia to the following themes: Questionnaire on NRA gender data 2017, Questionnaire on CEER – REMIT: cooperation NRAs, Questionnaire on National indicators 2016, Questionnaire on sanctioning and reporting power of NRAs, Questionnaire on Supply Standard (Article 8 of R994/2010). Survey among NRAs, Questionnaire on preventing corruption, Questionnaire on self-consumption, Combined questionnaire on Inter-transmission System Operator compensation, Mechanism and Generation Charge, Questionnaire on CEER work program 2018, Questionnaire on Benchmarking report, Questionnaire on PSOs, Questionnaire on CEER report on Investment conditions in European countries, Questionnaire on self-assessment based on the 2017 handbook for national energy regulators.

All these questionnaires were used as a basis to write reports, status reviews, position papers and other documents from the

CEER, ACER and the European Commission. They not only give a detailed description of the differences and similarities between the Member States, but also provide information on the degree of application of European legislation in each Member State. The European Commission, for its part, uses these documents as the basis for the creation of legal initiatives.

#### 5.7.4. European Gas Regulatory Forum

The European Gas Regulatory Forum, also known as the Madrid Forum, serves as a platform for consultation on the development of the internal natural gas market in Europe. The Member States, the European regulators (including the CREG) and all other European market stakeholders take part in it, under the presidency of the European Commission. The 30th Forum meeting was held on 19 and 20 October 2017<sup>133</sup>.

This Forum specifically focused on discussing the follow-up of the implementation of network codes and cross-border trade. This was in the context of the future evolution of the natural gas market, towards a fully operational integrated gas market. Calls were made for the efficient implementation of all network codes. To this end, additional tools can be used, including the FUNC platform<sup>134</sup>, to address problems in joint consultation and in full transparency.

Complete confidence was expressed in market-based solutions to further improve the functioning of the natural gas market. However, to this end, the solutions from the electricity sector should only be imported if this is necessary, if it can be justified for the gas market and if all the alternatives have been examined. For example, the use of implicit capacity allocations is not ruled out, provided that they are introduced in a non-discriminatory manner and adapted to the structural differences between the electricity and gas sectors.

Although different, the two sectors are also inextricably linked. As such, the European Commission announced at the Forum that a study on the interaction and possible synergies between the gas and electricity sectors would be launched in 2018. Another study will analyse the prospects for renewable gases, to assess the role that gas infrastructure can play in the decarbonisation process. A dual system between natural gas and renewable gases with cost-effective measures is seen as an attractive proposition for the future energy mix, to the benefit of European energy consumers.

#### 5.7.5. European Electricity Regulatory Forum

The European Electricity Regulatory Forum, also known as the Florence Forum, serves as a platform for consultation on the development of the internal electricity market in Europe. The Member States, the European regulators (including CREG) and all other European market stakeholders take part in it, under the presidency of the European Commission. The 32nd meeting of the forum was held on 17 and 18 May 2017<sup>135</sup>.

At the first meeting following the publication of the 'Clean energy for all Europeans' communication by the European Commission on 30 November 2016, this Forum discussed certain aspects of it. Representatives of the various stakeholders took the opportunity to express their positions. It gave a clear picture of which aspects need to be further clarified in the European Commission's texts.

The common thread of the discussion was clearly the desire to promote regional cooperation in all areas. This surfaced during the discussion on the security of supply debate, in which the Member States play an important role. It was advocated for the development of the relevant plans on the basis of a regional consensus, reflecting a true spirit of solidarity. But also in terms

<sup>133</sup> The conclusions of the Forum and all related documents are available on the European Commission website: <https://ec.europa.eu/energy/en/events/madrid-forum>.

<sup>134</sup> <http://www.gasncfunc.eu/>.

<sup>135</sup> The conclusions of the Forum and all related documents are available on the European Commission website: <https://ec.europa.eu/energy/en/events/meeting-european-electricity-regulatory-forum-florence>.

of operators, who were urged to step up regional cooperation within the operational centres set up for this purpose. Given that this is necessary for the development of an integrated electrical system, calls were made for a constructive, open and detailed dialogue to address existing concerns.

Finally, better regulatory cooperation was also discussed, in order to better supervise the decisions taken as a result of increased regional cooperation, with a view to achieving an efficient result. In this context, the Forum called on the European Commission to consider other means within ACER, to streamline it more effectively. It is crucial to examine whether the resources made available for this Agency are sufficient, given that the proposals of the European Commission provide for an extension of ACER's powers.

In addition to regional cooperation, the discussion also covered aspects related to the wholesale market (the decision-making process as regards bidding zones, priority dispatch and responsibility for balancing) and the retail market (demand-side flexibility, data management and local energy communities). This was seen as a precursor to the anticipated discussions in the ongoing process of adapting the proposed texts in the 'Clean energy for all Europeans' communication of the European Commission.

### 5.7.6. Citizens' Energy Forum

In the Citizens' Energy Forum, also known as the London Forum, the European Commission places active and involved consumers at the heart of a competitive, efficient and fair retail market. In a number of working group sessions,

representatives from various member states, regulators (including the CREG), European stakeholders and consumer organisations deliberated on the topics discussed in this forum. The ninth edition on 30 and 31 May 2017<sup>136</sup> was fully dedicated to the 'Clean energy for all Europeans' legislative package of the European Commission.

One of the main themes at this forum was not only the position of all active and involved consumers within the competitive market, but also the situation of non-active, vulnerable and poor consumers. Certain barriers can already be lowered by working towards publishing understandable, comparable and transparent information on energy bills, contracts and freely accessible price comparison sites. A target of being able to switch energy suppliers within 24 hours by 2025 will contribute to more effective functioning of the consumer market. However, above all, calls were made for simplicity and openly bundled products, with regulators across sectors coordinating supervision. The launch of the EU Energy Poverty Observatory was announced, which will assist Member States in their reporting on poverty.

The remaining topics related to the future to be anticipated by the end consumer within the retail market. The current developments in digitisation, the possibility of individual production, the possibility of adapting private consumption to market demand, dynamic pricing, etc., bring a completely new dynamic to the market, in which the end consumer plays a key role. The European Commission's fostering of local energy societies is therefore to be welcomed, although the definition in its current proposals needs to be further clarified.

### 5.7.7. Energy Infrastructure Forum

The Energy Infrastructure Forum, also known as the Copenhagen Forum, was held for the second time on 1-2 June 2017.<sup>137</sup> Under the chairmanship of the European Commission, this recently launched Forum brings together the main market players around the theme of 'infrastructure'. These parties include the members of the regional groups which were set up for several privileged corridors which are essential for EU supply (Member States, system operators, regulators and project promoters), together with representatives of several European institutions (the European Parliament, the Committee of the Regions and the Economic and Social Committee) and European organisations (NGOs, ENTSO-E, ENTSO-G, ACER and the EIB).

A central element of the Forum's discussion was an examination of the cross-border cost allocation of new infrastructure projects. The correlation between the allocation of infrastructure costs on the basis of a cost-benefit analysis and possible financing support from the Connecting Europe Facility (CEF) is not entirely transparent and is sometimes contradictory. Coordination of the two processes is seen as being highly desirable.

In addition, public acceptance of major infrastructure works is highlighted as being one of the main challenges. As such, additional scientific research is anticipated, to achieve a better regulated approach. Stakeholders are encouraged to exchange best practice across the gas and electricity sectors.

<sup>136</sup> The conclusions of the Forum and all related documents are available on the European Commission website: <https://ec.europa.eu/energy/en/events/citizens-energy-forum-london>.

<sup>137</sup> The conclusions of the Forum and all related documents are available on the European Commission website: <https://ec.europa.eu/energy/en/events/energy-infrastructure-forum>.

### 5.7.8. The CREG and the other national regulators

In 2017, the CREG continued to maintain good contacts with its foreign regulatory counterparts. Specifically, with respect to the neighbouring countries, it saw to it that a dialogue was started at the highest level to explore areas of collaboration.

During a visit to the president of BNetzA, the German regulator, the European Commission's legislative package 'Clean energy for all Europeans', the progress of the future electricity interconnector (the ALEGrO project) and the latest market developments in renewable energy were all discussed.

A visit in the first half of 2017 by the new chairman of the CRE, the French regulator, initiated a discussion on the future cooperation between the two organisations at regional, European and international level. The good relationship resulted in an exchange of experience in terms of European market monitoring and supervision, and the further development of Regulae.fr as an international network for French-speaking energy regulators.

Similar discussions on further future cooperation with the chair of Ofgem, the British regulator, were largely overshadowed by uncertainty about the United Kingdom's position vis-à-vis the European Union. The importance of effective monitoring of the situation, focusing in particular on the impact of further developments on the regulation of both the electricity and gas interconnectors, was endorsed by both parties.

In addition to maintaining these direct bilateral contacts with neighbouring colleagues, in 2017 the CREG also answered questions on various topics coming from the Dutch, Italian, Cypriot, Austrian, Portuguese, Czech, Bulgarian, Hungarian, Latvian, Greek and Polish regulators.

Above all, 2017 was marked by the further development of regional and European cooperation between regulators in implementing the European network codes and guidelines for electricity. For example, 14 decisions were taken within the European Regulators Forum, which was set up to meet to the obligation for all national energy regulators in the European Union to take joint decisions, the all NRA decisions, on joint proposals from all of the transmission system operators, the all TSO proposals. At regional level, the CREG is part of the Core region. Two decisions were made in this respect in 2017. These were the Regional design of long-term transmission rights and the Regional Specific Annex for CCR Core to the Harmonised Allocation Rules for long-term transmission rights, both in application of Regulation (EU) 2016/1719 of 26 September 2016 establishing a guideline on forward capacity allocation.

### 5.7.9. CREG and the FSMA

The collaboration protocol between the CREG and the Financial Services and Markets Authority (FSMA) was approved by the board of directors of both authorities in December 2016. This protocol lays down the conditions for the collaboration between the two bodies as regards the exchange of information and expertise, to ensure the integrity and transparency of the energy markets. This protocol is crucial, since there is increasing interaction between the REMIT Regulation and the financial domain.

The collaboration protocol was adapted for the first time in 2017. The CREG and the FSMA met several times in the context of the study (F)1637 aimed at informing market players about European and Belgian legislation in the context of the transparency of the Belgian wholesale markets for electricity and natural gas (see point 3.2.1.1 of this report).

### 5.7.10. The CREG and Parliament

Over the years, the CREG has built an excellent relationship with Parliament, specifically with the Economic Commission. For example, in early 2017, the CREG gave this Commission a detailed account of its analysis of the support for offshore wind energy (see also point 3.1.1.3 of this report). At the end of the year, it gave an explanation of its opinion following the Elia study Electricity scenarios for Belgium towards 2050 (see also point 3.4.5.2 of this report). Finally, the CREG obtained unanimous approval of its budget, which was described in detail (see also point 5.8.2 of this report).

Whenever the CREG was invited for a presentation by the Economic Commission, it was thanked by members of Parliament for the high level of expertise provided. In conclusion, it can be stated that the CREG strictly complies with its legal obligations as regards providing information to Parliament about the funds it manages.

### 5.7.11. The CREG and the regional regulators

The CREG's informal collaboration with the three regional regulators (BRUGEL, CWaPE and VREG) continued in 2017 within Forbeg. Six plenary sessions were held. BRUGEL acted as Chair in the first semester and the CREG in the second semester.

Once again, the CREG chaired the Gas, Information Exchange, Europe and Distribution System working groups.

In 2017, the Gas working group met twice and continued its discussions on, inter alia, the following themes:

The L/H gas conversion project, the emergency suppliers regulation at regional level, the approach of suppliers in difficulty on the transmission system, the reporting and information obligations of suppliers at regional and federal level, a state of play as regards the European network codes, the monitoring of the evolution of European regulations (CEP, SOS) and feedback concerning the operation of the task forces and the Gas Working Group of both ACER and the CEER.

In 2017 the Information Exchange working group continued its work to improve the process relating to the shared annual publication<sup>138</sup> of the four regulators on the evolution of the Belgian energy market and, in particular, the drawing up of the text part of the publication. The aim of this publication is to take stock of the market trends for electricity and natural gas and competition in Belgium based on a statistical overview of these markets. The working group is also responsible for responding to ACER and CEER questionnaires. The working group has also followed up the ACER Monitoring Report, with the result that data has been collected from the four regulators in view of providing indicators for Belgium.

The 'Europe' working group met three times in 2017. This working group provides a formal framework that enables the CREG to perform its tasks as national regulator and represent Belgium within CEER and ACER. This working group concentrates on the optimal general workflow of European dossiers between the various working groups that are part of Forbeg and the four regulators themselves. As in previous years, the focus was on the topics discussed at the various European forums and the General Assembly and the Board of Regulators within CEER and ACER. The new market design for electricity, renewable energy, energy efficiency and energy consumers were the four issues treated as a priority in 2017. These issues are part of the 'Clean energy for all Europeans' communication published by the European Commission.

The mission of the Distribution Systems Working Group (DS WG) is to inform regional regulators of the activities of the CEER DS WG, present the documents that are on the agenda to the regional regulators so that these can submit comments on these documents, thus improving the information exchange between the Belgian and the European regulators. In 2017, the working group met 8 times, and continued discussions as regards the following deliverables of the CEER:

- CEER Benchmarking Report on the Quality of Electricity and Gas Supply, focusing on the quality of the electricity and natural gas supply in the member and observer countries of the CEER;
- Guidelines of Good Practice on Distribution Network Tariffs, aimed at drawing up guidelines on how to use the various tariff structures to meet the future challenges of the distribution networks;
- Guidelines of Good Practice on Incentives Schemes including Innovation, focused on drawing up guidelines of good practice for incentive schemes used in the regulation of distribution system operators;
- Guidelines of Good Practice on Flexibility Use at Distribution Level, aimed at providing guidance to national regulators on how to encourage the use of flexibility by DSOs;
- Report on New Services and Associated Activities for DSOs, focused on the research of emerging services and related activities that may have an impact on the roles of the previous DSOs; and
- CEER Benchmarking Report on Power Losses, focused on evaluating the levels of losses of the electricity networks in European countries and identifying the different national practices with regard to determining and calculating such losses.

In addition, the CREG participated in the other Forbeg working groups on electricity, renewable sources and tariffs.

### 5.7.12. The CREG and the competition authorities

#### ■ *Collaboration between the CREG and the Belgian Competition Authority*

On 15 December 2017, the Royal Decree was published in the Belgian Official Journal which further governs the cooperation between the CREG and the Belgian Competition Authority (BMA) and the framework within which both institutions engage in dialogue. See also point 2.7 of this report.

Informal contacts between the CREG and the BMA also took place earlier in 2017, as did a meeting on the merger case Parkwind NV / Belwind NV notified to the BMA (Case no. MEDE-C/C-17/0001: Parkwind NV / Belwind NV).

#### ■ *CREG report on the relationship between costs and prices on the Belgian natural gas market in 2016*

As part of its permanent gas market monitoring task, on 27 October 2017 the CREG issued a report on the relationship between costs and prices on the Belgian natural gas market in 2016<sup>139</sup> and submitted this to the Belgian Competition Authority.

### 5.7.13. The CREG and Belgian universities

In the framework of its strategic objectives, the CREG worked together with Belgian universities by participating in colloquia and scientific activities.

On 24 March 2017, the CREG organised a conference on 'new governance and regulation in the energy sector' in cooperation with the Centre Perelman de Philosophie du Droit of the Université Libre de Bruxelles. In preparation for this conference, the CREG launched a call for papers. From all the submissions, the Scientific Committee selected nine

<sup>138</sup> Joint report on the development of the electricity and natural gas markets in Belgium - Year 2016, 23 October 2017.

<sup>139</sup> Report (F)1685 on the relationship between costs and prices on the Belgian natural gas market in 2016.



contributions which were presented and discussed on the day of the conference.

The CREG wishes to develop this collaboration with Belgian universities, and hence the idea arose to award a prize for the best and most innovative Master's dissertation on energy. As such, the CREG also intends to support and encourage future developments in the energy sector. Each winner receives a cheque worth €2,500 and the possibility of work experience at the CREG.

On 9 March 2017, the two 2016 laureates and their tutors were invited by the CREG to receive their prize. This was:

- for the Flemish Community: Tim Mertens from the KU Leuven for his dissertation entitled *Modelling of an Aggregator Bidding Strategy in Day-ahead and Reserves Markets*; and
- for the French Community: Olivia Bramaud de Boucheron from the Université Libre de Bruxelles for her dissertation entitled *La promotion de l'énergie durable: une étude comparée entre droit de l'Union européenne et droit de l'organisation mondiale du commerce*.

## 5.8. The finances of the CREG

### 5.8.1. Federal contribution

The federal contribution is a levy on the amount of electricity and natural gas consumed in Belgium.<sup>140</sup> This contribution finances various funds managed by the CREG (see point 5.8.2 of this report).

In December 2017, in accordance with the regulations<sup>141</sup>, the CREG calculated and published the unit surcharges of the various components of the federal electricity and gas contribution to be applied from 1 January to 31 December 2018.

#### A. Federal natural gas contribution

Each quarter the natural gas transmission operator (Fluxys Belgium) and the operators of a direct line<sup>142</sup> pay the federal contribution for which they had previously billed their customers to the CREG. In 2017 these companies also directly contributed to the CREG fund, the social energy fund and the protected customers fund.

For their part, the natural gas companies that offered their customers discounts (degressivity and exemption) submit their applications for reimbursement to the CREG on a quarterly basis (see below).

#### ■ Contributions to the funds

The expected amounts of the federal contribution are generally made up of the basic amount for each fund for the current year as well as any possible supplements destined to take account of the previous years' shortfall/surplus and cover the various exemptions.

Overall, revenue from the federal natural gas contribution in 2017 was 13.4% higher than the expected amounts.

#### ■ Exemptions and degressivity

The full federal contribution was invoiced to the natural gas companies. As they are unable to recover the full amount from their end customers due to the granting of a reduction (degressivity) or even an exemption, each quarter they may apply to the CREG for reimbursement of the amounts corresponding to the degressivity and exemptions granted to their end customers.

During the year 2017, CREG reimbursed natural gas companies a total of €18,367,628 corresponding to the exemption from the federal contributions for natural gas destined for the generation of electricity injected into the system (electricity power plants and quality cogeneration units). The CREG also reimbursed a total of €208,828 in federal contributions to gas companies, which they were unable to invoice to international institutions. These reimbursements were made with the help of the available means in the various funds.

The same natural gas companies also submitted applications for reimbursement of degressivity amounting to €15,261,730. Additionally, an amount of €1,073,921, not paid to the CREG by the direct pipeline operator due to the granting of degressivity measures to their customers, was split between the various funds. Finally, seven end customers with a consumption location for which a separate bill was issued by different suppliers submitted an application for adjustment based on the degressivity measure from which they had benefited in 2016. They were reimbursed a total of €2,656,253.

<sup>140</sup> In accordance with the international agreements, international institutions, which include European institutions as well as diplomatic assignments, consular posts, international organisations and armed forces located in Belgium, are completely exempted.

<sup>141</sup> In particular the Royal Decree of 21 December 2017 amending the Royal Decree of 24 March 2003 setting the federal contributions destined for the financing of certain public service obligations and costs related to the regulation and control of the electricity market and the Royal Decree of 2 April 2014 laying down the rules for the federal contribution destined for the financing of certain public service obligations and costs related to the regulation and control of the natural gas market (Belgian Official Journal of 29 December 2017), which, for the year 2018, once again sets the amount destined for the greenhouse gas fund back to €0 and prolongs the freeze on the amount destined for the social energy fund. In this context, the CREG issued an opinion to the Minister (Opinion (A)1699 on a draft Royal Decree amending the Royal Decree of 24 March 2003 setting the federal contribution modalities destined for the financing of certain public service obligations and costs related to the regulation and control of the electricity market, and the Royal Decree of 2 April 2014 setting the federal contribution modalities destined for the financing of certain public service obligations and costs related to the regulation and control of the natural gas market).

<sup>142</sup> On 31 December 2017 Wingas was the only operator of a direct connection in Belgium.

In 2017 the FPS Finance made an advance of €17,175,000 available to the CREG to cover its above-mentioned needs. As such, in 2018 an amount of €839,349 will be deducted by the FPS Finance from the amount requested by the CREG in 2018.

#### ■ *Irrecoverables*

In 2017 the legal tariff adjustment destined to cover natural gas companies against federal contributions that they have been unable to recover from their customers generated an amount of €117,924, which, at the end of the year, was distributed between the funds fed by the federal natural gas contribution.

### B. The federal electricity contribution

The electricity transmission system operator (Elia System Operator) pays the contribution it has billed to its customers the previous quarter to the CREG on a quarterly basis. In 2017 Elia contributed to the CREG fund, the social energy fund, the denuclearisation fund and the protected customer fund. Due to the expansion of the emptying of the greenhouse gas fund (see point 5.8.2.D below), the system operator did not make any contribution to this fund in 2017.

For their part, the electricity companies that offered their customers discounts (degressivity and exemption) submit their applications for reimbursement to the CREG on a quarterly basis (see below).

#### ■ *Contributions to the funds*

The expected annual amounts of the federal contribution are made up of the basic amount for each fund for the current year as well as any possible supplements destined to take account of the previous years' shortfall/surplus and cover the

above-mentioned exemptions enjoyed by the international institutions.

Overall, the revenue from the federal contribution for electricity in 2017 for all the funds combined was nearly 6% lower than the expected amounts. This was partly due to the continual decrease in the amount of electricity taken off from the transmission system, while more and more electricity was produced and injected into the distribution systems on a decentralised basis.

This problem could be solved by returning the surplus collected and stored by the distribution system operators to end consumers for the decentralised production of electricity injected into their respective systems. A Royal Decree<sup>143</sup> specifies that the surplus federal contributions for electricity collected annually by the distribution system operators will be adjusted by the CREG in the following year. These adjusted amounts will then be included in the calculation of the unit values of the federal contribution for the following year.

#### ■ *Exemptions and degressivity*

The electricity companies were billed for the entire federal contribution whilst they are unable to pass on the total amount to their end customers. Indeed, they need to grant degressivity of the federal contribution or exemption to international institutions. Consequently, it was stipulated that, each quarter, these companies may reclaim the reimbursement of the loss of profits from the CREG.

In 2017, the CREG once again reimbursed €100 and €324, respectively, after supplier corrections for the exemption (fuel mix) of greenhouse gas and denuclearisation surcharges paid on quantities of green electricity delivered until 31 December

2012. The CREG also reimbursed a total of €1,677,049 in federal contributions to electricity companies, which they were unable to invoice to international institutions. These reimbursements were made using the available means in the various funds.

From 1 January 2018, electricity taken from the grid to supply an electricity storage facility also needs to be exempted from the federal contribution.<sup>144</sup> However, this requires the enactment of an implementing Royal Decree.

The same electricity companies also submitted degressivity reimbursement applications totalling €24,804,736. Additionally, the sum of €38,961,505 that was not paid by the transmission operator due to the granting of degressivity measures to certain customers, was split between the various electricity funds. Finally, two end customers with a consumption location for which a separate bill was issued by different suppliers submitted an application for adjustment based on the degressivity measure on the federal contribution for electricity from which they had benefited in 2016. They were reimbursed a total of €343,294.

In 2017, the FPS Finance made an advance of €64,000,000 available to the CREG to cover the applications for reimbursement of the degressivity. As such, in 2018 the shortfall of €109,535 will be added by the FPS Finance to the amount requested by the CREG in 2018.

#### ■ *Irrecoverables*

In 2017 the legal tariff adjustment destined to cover electricity companies against federal contributions that they have been unable to recover from their customers during the previous years was not sufficient to reimburse them for all net costs corresponding to irrecoverable amounts. To cover this shortfall,

<sup>143</sup> Royal Decree of 31 October 2017 amending the Royal Decree of 24 March 2013 laying down the federal contribution modalities for the financing of certain public service obligations and costs associated with the regulation and control of the electricity market (Belgian Official Journal of 24 November 2017).

<sup>144</sup> Law of 13 July 2017 amending the Law of 29 April 1999 on the organisation of the electricity market with a view to improving demand flexibility and electricity storage (Belgian Official Journal of 19 July 2017). See also point 2.2. of this report.

the various funds of the federal electricity contribution had to feed the irrecoverable amounts fund for electricity with an amount of €203,370 in order to carry out the reimbursements for 2017.

### C. Offshore surcharge

This surcharge levied by the transmission system operator to its end customers and electricity companies, who then pass it on to their own customers, is intended to offset the costs borne by the transmission system operator resulting from its obligation to purchase the green power certificates granted to electricity generation in the North Sea.

The CREG is responsible for reimbursing the transmission system operator and the electricity companies who granted their customers degressivity on this surcharge.

The requests submitted by the transmission system operator and the electricity companies in 2017 amounted to €30,889,606 and €51,713,050 respectively, on top of the applications from two end customers with a consumption site, whose billing is organised separately by different suppliers.

These two end customers also submitted an application to adjust the degressivity applicable to the offshore surcharge from which they benefited in 2016. They were reimbursed a total of €363,843.

In 2017, the FPS Finance made an advance of €78,750,000 available to the CREG to cover the above-mentioned applications for reimbursement. Given that this advance is insufficient to make these reimbursements, the shortfall of €4,216,499 will be added by the Federal Public Service Finance to the amount requested by the CREG in 2018.

## 5.8.2. Funds

### A. The CREG Fund

By decision of the Council of Ministers of 12 March 2012, the CREG's budgets for the years 2012 to 2014 were frozen at the level of the budget for 2011 (€14,952,254).

As in 2015 and 2016, the CREG's board of directors also proposed a budget at the same level of 2011 to the Chamber of Representatives for 2017.

The partial coverage of the CREG's total operating costs for 2017 was set at €14,952,254 by the Chamber of Representatives during its plenary session of 8 December 2016. However, for the calculation of the unit value of the CREG surcharge, this amount was supplemented by €149,824 and €65,282 in order to maintain the reserve and reimburse the international institutions, from which €1,426,580 was deducted for the 2015 gas profits to be reimbursed to the end customers.<sup>145</sup>

The CREG accounts for 2017 are set out in detail in section 5.8.3 below.

### B. Social Energy Fund

For 2017 a total of €52,890,292 was provided to help the CPASs with their task of providing guidance and financial social support in the field of energy. €30,750,170 came from the electricity sector and €22,140,122 from the natural gas sector<sup>146</sup>. However, these amounts were supplemented by €113,785 and €182,735 respectively in order to reimburse the international institutions. In addition, €3,000,000 was added and €5,000,000 deducted in order to correct the distribution of the financing of the fund between the electricity and natural

gas sectors. Ultimately, a total net income of €32,208,633 for electricity and €27,376,184 for natural gas was recorded.

In addition to the transfer of the fourth payment for 2016 (€13,225,211) to the CPASs, the cash balance of the fund allowed for the full payment of the first three amounts for 2017, requested by the FPS Social Integration (€39,657,622).

On 31 December 2017, the assets of the fund totalled €25,683,077. As such, the CREG will be able to pay the full fourth instalment for 2017 to the CPASs at the end of January 2018.

### C. Denuclearisation Fund

This fund, which is financed exclusively by the federal contribution charged by the electricity sector, should have stood at €69,000,000<sup>147</sup> for 2017, plus €231,590 to offset shortfalls from the past and repay the international institutions.

In 2017, a total net income of only €67,928,302 was recorded in the fund.

In addition to corrections adding to the fund from suppliers in the context of their exemption from the fuel mix, for a total amount of €324, the CREG repaid exemptions granted to international institutions and adjusted certain past amounts for a total of €581,654.

On the other hand, due to the resources available in the fund at the end of the year, the CREG was only able to pay €68,400,000 to ONDRAF/NIRAS, corresponding to 99.1% of the amount allocated to ONDRAF/NIRAS for 2017.

On 31 December 2017, the assets of the fund totalled €9,166. The balance due to ONDRAF/NIRAS for 2017 will be settled as

<sup>145</sup> See Annual Report 2015, point 5.10.3.

<sup>146</sup> The freeze on amounts has been extended for 2017 by the Royal Decree of 7 December 2016 amending the Royal Decree of 24 March 2003 and the Royal Decree of 2 April 2014 (Belgian Official Journal of 21 December 2016). This Royal Decree was confirmed by the Law of 13 December 2017 ratifying various royal decrees adopted pursuant to the Law of 29 April 1999 on the organisation of the electricity market and the Law of 12 April 1965 on the transport of gaseous and other products by pipeline (Belgian Official Journal of 28 December 2017).

<sup>147</sup> Royal Decree of 26 January 2014 setting the amounts required for the financing of BP1 and BP2 nuclear liabilities for the period 2014-2018, in implementation of Article 3, paragraph 2 of the Royal Decree of 24 March 2013 setting the federal contribution modalities for the financing of certain public service obligations and costs associated with the regulation and control of the electricity market (Belgian Official Journal of 3 February 2014).

soon as the transmission system operator receives the federal contribution payments for 2018.

#### D. Greenhouse Gas Fund

The amount destined for the fund, financed exclusively by the federal contribution billed by the electricity sector, was set to €0 for 2017.<sup>148</sup> The flat rate of €3,600,000 for the year 2017 was paid into the organic budget fund of the FPS Environment for the financing of the federal policy to reduce greenhouse gas emissions.

In addition to the corrections adding to the fund from suppliers as part of their exemption from the fuel mix for a total amount of €100, the greenhouse gas fund financed, as every year, an amount of €14,490,000, corresponding to the VAT due on the annual total amount intended for ONDRAF/NIRAS. The VAT authorities refunded the CREG for the amount of these quarterly advances.

On 31 December 2017, the assets of the fund totalled €47,683,911.

#### ■ Kyoto JI/CDM Fund

The Kyoto Joint Implementation/Clean Development Mechanism, which is also managed by the CREG, is used by the FPS Environment to purchase the CO<sub>2</sub> emission credits so that Belgium can meet its targets under the Kyoto Protocol.

This fund collects the amounts from the greenhouse gas fund that are specifically allocated to financing projects for the reduction of greenhouse gases.

In 2017, the FPS Environment did not use the fund to purchase CO<sub>2</sub> emission credits.

On 31 December 2017, the assets of the fund totalled €14,972,767.

#### E. The protected customers funds for electricity and natural gas

For the year 2017<sup>149</sup> the needs of these funds totalled €114,754,054 for electricity and €47,228,212 for natural gas, to which €245,946 and €371,788 must be added, respectively, for the reimbursement of the international institutions.

A net total revenue of €106,405,920 was recorded for the electricity fund. For natural gas a net total revenue of €74,032,837 was recorded.

In 2017 the reimbursements for the sector's companies who supplied the protected household customers at the social tariff in 2016 amounted to €98,469,562 for electricity and €65,066,872 for natural gas. Due to the lack of available means in the protected electricity customer fund in October 2017, certain electricity suppliers could not be reimbursed, in accordance with the Royal Decree of 29 March 2012, until December 2017, after receipt of the federal electricity contribution sums paid by the transmission system operator.

Two repayable amounts of €1,592,116 and €1,004,833 are still outstanding, in the electricity and natural gas funds respectively, as they correspond to repayment applications that the CREG originally refused, but for which a judgement of the Brussels Court of Appeal of 11 January 2017 obliges the CREG to reconsider its decision. At the end of the year, the analysis of these cases was still ongoing.

On 31 December 2017 the assets of the two funds totalled €20,584,033 for electricity and €43,061,597 for natural gas.

#### F. The fund for flat-rate reductions for natural gas and electricity heating

This fund, also known as the heating premium fund, has been abolished from the Electricity Act, but remains included in Article 3, § 6 of the above-mentioned Royal Decree of 24 March 2003. In 2017, no amount was called up and no regularisation for the past was made.

On 31 December 2017 the assets of the fund amounted to €24,404,014 split up into €16,810,476 for electricity and €7,593,538 for natural gas. As long as no legal allocation of the balance of the fund is defined, the CREG will continue to manage it, in particular as regards possible adjustments of previous amounts.

At the request of the Minister for Energy, the CREG issued an opinion on a draft Royal Decree laying down the detailed rules for the use of the balance of the heating premium fund.<sup>150</sup> The draft decree aims to allocate the balance of the heating premium fund to the funds to finance the real net cost resulting from the application of maximum prices for the supply of natural gas or electricity respectively to protected residential customers on modest incomes or in vulnerable situations.

In its opinion, the CREG remarks, *inter alia*, that the reduction in the federal contribution resulting from this allocation must be made for the benefit of all customers, and not only for household customers, as stated in the draft.

<sup>148</sup> See the above-mentioned Royal Decree of 7 December 2016.

<sup>149</sup> Royal Decree of 25 December 2016 determining the amounts for 2017 of the funds destined to finance the actual costs resulting from the application of maximum prices for electricity and natural gas supply to protected residential customers (Belgian Official Journal of 29 December 2016). This Royal Decree was confirmed by the above-mentioned law of 13 December 2017.

<sup>150</sup> Opinion (A)1656 of 17 July 2017 on a draft Royal Decree laying down the detailed rules for the use of the balance of the fund for flat-rate reductions for heating using natural gas and electricity.

### G. Fund to offset the loss of income suffered by the municipalities

The balance of this fund, which has been inactive for several years, has not changed and as of 31 December 2017 was €578,691, corresponding to the interest collected since 2005. As long as no legal allocation of the balance of the fund is available, it cannot be closed and the CREG will continue to manage it.

#### 5.8.3. Accounts 2017

The proceeds of the federal contribution to electricity declared by Elia System Operator in 2017 are, overall, only 1.5% lower than the expected amounts of the federal contribution in 2017. Thanks to miscellaneous and extraordinary income (see below), the total revenues of the electricity sector are 1.3% higher than expected.

The revenue from the federal natural gas contribution recorded for the CREG in 2017 was 19.8% higher than expected. It should be noted that the reimbursements of the exemptions for cogeneration/electricity production and the exemption of the international institutions, which are usually deducted from the proceeds of the federal contribution for natural gas submitted by Fluxys Belgium and Wingas, were generally 21% lower than our forecasts. Moreover, this exceedance was strengthened by miscellaneous and extraordinary income.

The miscellaneous and extraordinary income offset the expenses of the CREG, to a limited extent. They include the structural reductions of the NSSO contributions from which the CREG benefited in 2017, as well as the charging of the remuneration of a CREG employee on assignment. 69% of this miscellaneous and extraordinary income and the financial income comes from the electricity sector, and 31% from the

gas sector. Revenue of €433,254 divided between the electricity sector (€289,945) and the natural gas sector (€124,309) is therefore added to the above-mentioned revenue from the federal contribution for electricity and natural gas.

As such, the total revenue related to the electricity sector amounts to €10,639,790. For its part, the total revenue of the natural gas sector amounts to €5,720,770. This corresponds to total revenues of €16,360,560.

The total expenditure of the CREG for the financial year 2017 amounted to €14,987,545 (this is a decline of 2% compared to 2016).

The subtotal of personnel costs increased overall by 0.7% compared to 2016. This is the result of the wage indexing in July 2017. However, this increase remained limited as there were no agency workers in 2017 and recruitment costs were lower than in 2016.

The subtotal of operating expenses decreased overall by 13.1% compared to 2016, mainly as a result of the decrease in costs for external experts to carry out studies, for the communication service, translations and legal advice, among other things. General costs remained stable. Finally, depreciation and amortisation increased by 7.7% compared to 2016 due to the purchase of software, for €167,566.

Finally, the 72% (€4,484) increase in the pre-financing of the irrecoverables fund for electricity is due to the increasing number of end customers experiencing difficulty in paying their electricity bills. For the irrecoverable amounts for natural gas, the situation is the opposite, since the balance of this fund was divided between all the natural gas funds, including the CREG fund.

The result of this is that the 2017 financial year ends with an overall surplus of revenue received by the CREG compared to its charges that amounts to €1,373,014. This amount is divided between a surplus of €295,069 associated with the electricity sector and a surplus of €1,077,945 associated with the natural gas sector.

Given that the electricity and natural gas reserves were fully restored as of 31 December 2016, the 2017 profits for the electricity and natural gas sectors will, in accordance with Article 11, § 4, last paragraph of the Royal Decree of 24 March 2003 and Article 17, last paragraph of the Royal Decree of 2 April 2014, be fully reimbursed to end customers.

To this end, these will be deducted during the next calculation of the CREG surcharge for electricity and natural gas (2019 surcharge, calculated in December 2018) from the amount to be financed by the revenue from the federal electricity and natural gas contribution. In 2019, these amounts will be included in the revenue of the federal contribution for electricity and natural gas.

As of 31 December 2017 the balance sheet total consolidated with the funds was €190,374,672.

Since 1 January 2013, the CREG has organised its bookkeeping in accordance with the principles laid down in the law of 22 May 2003 on the organisation of the budget and accounts of the federal State, and following the accounting schedule set out by the Royal Decree of 10 November 2009 setting the accounting schedule applicable to the federal State, communities, regions and the common community commission. Although a postponement means that this law will not come into effect until 1 January 2019, the CREG has continued to use this method of accounting.

The following tables provide a summary of the budget accounts for expenditure and revenue:

Table 16: Summary of the 2017 budget accounts in expenditure (€)  
(Source: CREG)

Budget	14 952 254
Commitments	14 931 482
Liquidation	14 540 563
Differentiated appropriations	390 919

The CREG budget for 2017 was set at €14,952,254. Commitments for a total amount of €14,931,482 therefore correspond to 99.86% of the budget.

Differentiated appropriations from previous years still open at the end of the financial year 2017 amounted to €275,915 (ICT infrastructure, studies, legal advice, recruitment, communication service and training). With €390,919 of differentiated appropriations for the financial year 2017, all outstanding differentiated appropriations as of 31 December 2017 amounted to €666,834. All these differentiated appropriations will affect the general accounting results when they are liquidated/covered.

Table 17: Summary of the 2017 budget accounts in revenue (€)  
(Source: CREG)

Budget	14 093 879
Disputed rights	14 933 980
Liquidation	14 933 980

Overall, the CREG's revenue for 2017 was 6% higher than expected.

Table 18: Income statement as of 31 December 2017 (€) (Source: CREG)

	2017	2016
<b>Personnel costs</b>	<b>12 334 198</b>	<b>12 222 645</b>
Salaries and charges	11 846 061	11 608 211
Variation in provisions for compensation for outgoing members of the board of directors	117 589	113 230
Variation in provisions for holiday bonuses	9 219	31 518
Temporary staff	0	83 695
Recruitment costs	4 120	30 069
Training, seminars	61 019	70 406
Leasing, company cars	296 189	285 516
<b>Bodies</b>	<b>24 115</b>	<b>41 910</b>
Remuneration of Gas and Electricity Advisory Board	24 115	41 910
<b>'Personnel costs' subtotal</b>	<b>12 358 313</b>	<b>12 264 555</b>
<b>External experts</b>	<b>582 014</b>	<b>993 673</b>
External studies	240 775	524 876
Communication service	167 713	204 966
Translators, Auditor, Social Secretariat	117 914	186 838
Legal fees relating to lawsuits	55 612	76 992
<b>Operating costs</b>	<b>1 812 759</b>	<b>1 816 242</b>
Rent and charges for premises	778 065	774 758
Parking facilities	66 542	75 666
Building maintenance and security	135 191	133 906
Equipment maintenance and servicing	145 696	132 295
Documentation	136 104	134 313
Telephone, post, Internet	38 411	41 606
Office supplies	11 802	8 544
Costs of meetings and expenses	98 641	108 330
Travel expenses (including abroad)	75 235	72 870
Membership of associations	43 330	46 147
Insurance, taxes and sundry costs	284 462	287 807
<b>Depreciation costs</b>	<b>217 294</b>	<b>201 796</b>
Depreciation on tangible fixed assets	217 294	201 796
<b>Financial costs</b>	<b>17 165</b>	<b>12 230</b>
Other	6 473	6 022
Transfer to irrecoverable funds and federal contributions	10 692	6 208
<b>'Other operating costs' subtotal</b>	<b>2 629 233</b>	<b>3 023 940</b>
<b>TOTAL CHARGES</b>	<b>14 987 545</b>	<b>15 288 495</b>
<b>Income (surcharges and fees)</b>	<b>14 554 291</b>	<b>14 760 449</b>
Electricity and natural gas contribution	15 906 026	16 095 732
Transfer of irrecoverable funds - natural gas and electricity	6 280	13 320
Gas suppliers' adjustment, year n-1	0	14 158
CREG adjustment - electricity, year n	-295 069	-208 863
CREG adjustment - natural gas, year n	-1 077 945	-1 159 887
Other fees	15 000	6 000
<b>Financial income</b>	<b>439</b>	<b>386</b>
Income from current assets	436	327
Other financial income	3	59
<b>Extraordinary income</b>	<b>432 815</b>	<b>527 660</b>
Other extraordinary income	432 815	527 660
<b>TOTAL INCOME</b>	<b>14 987 545</b>	<b>15 288 495</b>
<b>RESULT FOR THE FINANCIAL YEAR</b>	<b>0</b>	<b>0</b>

Table 19: Balance as of 31 December 2017 (€) (Source: CREG)

	2017	2016
<b>ASSETS</b>		
<b>FIXED ASSETS</b>		
<b>Intangible and tangible fixed assets</b>	<b>310 233</b>	<b>348 786</b>
Building refurbishment	93 849	106 615
Office furniture and decoration	54 671	80 299
IT and telephone equipment	161 713	161 872
<b>Financial fixed assets</b>	<b>295</b>	<b>558</b>
Various guarantees	295	558
<b>CURRENT ASSETS</b>		
<b>Amounts receivable within one year</b>	<b>248 409</b>	<b>416 151</b>
Trade receivables	7 780	37 597
Other amounts receivable	-15	252
Funds receivables	240 644	378 302
<b>Cash at bank and in hand</b>	<b>189 421 768</b>	<b>193 999 387</b>
CREG Fund	9 123 471	8 142 929
Social Energy Fund	25 683 077	24 013 053
Greenhouse Gas Fund	47 683 911	51 283 657
Denuclearisation Fund	9 166	670 848
Kyoto JI/CDM Fund	14 972 767	14 972 767
Protected Customers Fund - Electricity	20 584 033	12 884 906
Protected Customers Fund - Natural Gas	43 061 597	45 741 826
Municipalities Fund	578 691	578 691
Heating Grant Fund	24 404 014	24 403 994
Federal Contribution Fund	0	442
Electricity Degressivity Fund	863 730	3 350 913
Offshore Surcharge Degressivity Fund	58 857	4 742 963
Natural Gas Degressivity Fund	2 189 951	2 915 949
Irrecoverable Fund - Electricity	122 930	29 639
Irrecoverable Fund - Natural Gas	84 486	266 092
Cash	1 087	718
<b>Deferrals and accruals</b>	<b>393 968</b>	<b>362 437</b>
<b>TOTAL ASSETS</b>	<b>190 374 672</b>	<b>195 127 320</b>



<b>LIABILITIES</b>	<b>2017</b>	<b>2016</b>
<b>CAPITAL AND RESERVES</b>		
<b>Profit brought forward</b>	<b>1 314 222</b>	<b>1 314 222</b>
<b>CREG sector reserve</b>	<b>2 242 838</b>	<b>2 242 838</b>
Electricity	1 547 558	1 547 558
Gas	695 280	695 280
<b>PROVISIONS</b>		
<b>Compensation for outgoing members of the Board of directors</b>	<b>541 985</b>	<b>424 396</b>
<b>Other provisions</b>	<b>0</b>	<b>0</b>
<b>AMOUNTS PAYABLE</b>		
<b>Amounts payable within one year</b>	<b>5 737 774</b>	<b>4 911 822</b>
Trade debts	3 120 355	3 106 410
Taxes, salaries and social charges payable	2 617 420	1 805 412
<b>Various debts</b>	<b>180 537 853</b>	<b>186 234 042</b>
Social Energy Fund	25 720 871	24 091 264
Greenhouse Gas Fund	47 683 970	51 283 898
Denuclearisation Fund	9 391	651 054
Kyoto JI/CDM Fund	14 972 767	14 972 767
Protected Customers Fund - Electricity	20 584 033	12 866 652
Protected Customers Fund - Natural Gas	43 135 446	45 935 474
Municipalities Fund	578 691	578 691
Heating Grant Fund	24 404 014	24 404 014
Federal Contribution Fund	0	442
Electricity Degressivity Fund	863 730	3 350 913
Offshore Surcharge Degressivity Fund	58 857	4 742 963
Natural Gas Degressivity Fund	2 189 951	2 915 949
Irrecoverable Fund - Electricity	218 085	137 626
Irrecoverable Fund - Natural Gas	118 047	302 336
<b>Deferrals and accruals</b>	<b>0</b>	<b>0</b>
<b>TOTAL LIABILITIES</b>	<b>190 374 672</b>	<b>195 127 320</b>

#### 5.8.4. Auditor's report on the financial statements for the year ended 31 December 2017

In accordance with the assignment entrusted to us by the Management Board pursuant to Article 31, §1 of the internal rules dated 4th December 2015 of the Commission for Electricity and Gas Regulation (in short "the Commission"), we hereby present our statutory auditor's report. It includes our report on the audit of the annual accounts as well as our report on the other legal and regulatory requirements. These reports form part of an integrated whole and are indivisible.

We were appointed in our capacity as auditors by the Management Board on 21 September 2000. We have performed the legal audit of the Commission's annual accounts for 18 consecutive years.

#### Report on the audit of the annual accounts

##### Unqualified opinion

We have audited the annual accounts of the Commission, which comprise the balance sheet as at 31 December 2017 and the profit and loss account for the year then ended. The balance sheet total amounts to 190.374.672 EUR and the profit and loss account stands at 0 EUR, in accordance with the Royal Decrees of 24 March 2003 and of 2 April 2014 relating to the financing of the Commission, with the total income and charges standing at 14.987.545 EUR.

In our opinion, the annual accounts give a true and fair view of the Commission's net equity and financial position as at 31 December 2017, as well as of its results for the year then ended, in accordance with the financial reporting framework applicable in Belgium.

##### Basis for unqualified opinion

We have conducted our audit in accordance with International Standards on Auditing (ISAs) as applicable in Belgium. Our responsibilities under those standards are further described in the section "Responsibilities of the auditor for the audit of the annual accounts" of our report. We have complied with all the ethical requirements that are relevant to the audit of annual accounts in Belgium, including those relating to independence.

We have obtained from the Management Board and Commission officials the explanations and information necessary for performing our audit.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

##### Responsibilities of the Management Board for the annual accounts

The Management Board is responsible for the preparation of annual accounts that give a true and fair view in accordance with the financial-reporting framework applicable in Belgium, and for such internal control as the Management Board determines is necessary to enable the preparation of annual accounts that are free from material misstatement, whether due to fraud or error.

In preparing the annual accounts, the Management Board is responsible for assessing the Commission's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Management Board has no realistic alternative but to do so.

##### Responsibilities of the auditor for the audit of the annual accounts

Our objectives are to obtain reasonable assurance about whether the annual accounts as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these annual accounts.

As part of an audit in accordance with ISAs, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- identify and assess the risks of material misstatements of the annual accounts, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risks of not detecting of a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or override of internal control ;
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control ;

- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Management Board ;
- conclude on the appropriateness of the Management Board's use of the going concern basis of accounting, and, based on the audit evidence obtained, whether a material uncertainty exists related to events of conditions that may cast significant doubt on the Commission's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the annual accounts or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Commission to cease to continue as a going concern ;
- evaluate the overall presentation, structure and content of the annual accounts, including disclosures, and whether the annual accounts reflect the underlying transactions and events in a true and fair view.

We communicate with the Management Board regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

### Report on the other legal and regulatory requirements

#### Responsibilities of the Management Board

The Management Board is responsible for the preparation and the content of the additional information contained in the annual report, as well as for the compliance with the legal and regulatory requirements regarding the bookkeeping of the Commission and the compliance with the law of 12 April

1965 on the transmission of gaseous and other products by pipeline (the "Gas" Act), the law of 29 April 1999 on the organization of the electricity market (the "Electricity" Act) and their implementing decrees.

#### Responsibilities of the auditor

In the context of our mandate and in accordance with the additional standard to the International Standards on Auditing (ISAs) applicable in Belgium (as revised in 2018), our responsibility is to verify, in all material aspects, the other information contained in the annual report, as well as the legality, with respect to the "Gas" Act, the "Electricity" Act as well as their implementing decrees, of the operations to recognize in the accounts, and to report on these matters.

#### Aspects concerning the other information contained in the annual report

In the context of our audit of the annual accounts, we are also responsible for considering, in particular based on the knowledge we have obtained during the audit, whether the information disclosed in the annual report under the title "CREG finances" contains any material misstatement, i.e. any information which is inadequately disclosed or otherwise misleading. Based on the procedures we have performed, there are no material misstatements we have to report to you. We do not express any form of assurance whatsoever on the annual report.

#### Statement related to independence

Our audit firm did not provide services which are incompatible with the legal audit of the Commission's annual accounts, as defined by the "Electricity" Act, and we remained independent of the Commission during the terms of our mandate.

### Other statements

- Without prejudice to formal aspects of minor importance, the accounting records were maintained in accordance with the general rules of the law of 22 May 2003 on the organization of the budget and the accounting of the federal State and with the Royal Decree of 10 November 2009 fixing the chart of accounts applicable to the federal State, Communities, Regions and the Joint Community Commission.
- As at 31 December 2017, the Commission has entered into commitments for an amount of 640.343 EUR. These commitments do not appear in the accounts as they don't constitute debts.
- We have not noted any breaches of the "Electricity" and "Gas" Acts or their implementing decrees as regards transactions booked in the accounts of the Commission.

Brussels, 15 February 2018



André KILLESSE  
Auditor

## 5.9. List of acts drawn up by CREG in 2017

<b>(B)656G/33</b> <b>24.05.2017</b>	<ul style="list-style-type: none"> <li>● Décision sur le rapport tarifaire incluant les soldes introduit par la s.a. Fluxys Belgium concernant l'exercice d'exploitation 2016 Beslissing over het aangepast tariefverslag met inbegrip van de saldi ingediend door Fluxys Belgium nv met betrekking tot het boekjaar 2016</li> </ul>
<b>(B)656G/34</b> <b>24.05.2017</b>	<ul style="list-style-type: none"> <li>● Décision relative à la proposition tarifaire actualisée relative aux tarifs des services de transport et de stockage de la s.a. Fluxys Belgium pour les années 2016-2019 Beslissing over het geactualiseerd tariefvoorstel met betrekking tot de vervoers- en opslagtarieven van Fluxys Belgium nv voor de jaren 2016-2019</li> </ul>
<b>(B)656G/35</b> <b>27.10.2017</b>	<ul style="list-style-type: none"> <li>● Décision sur la redevance d'équilibrage à des fins de neutralité et la valeur du petit ajustement Beslissing over de neutraliteitsheffing voor balanceren en de waarde van de kleine aanpassing</li> </ul>
<b>(B)657G/13</b> <b>27.04.2017</b>	<ul style="list-style-type: none"> <li>● Décision sur le rapport tarifaire incluant les soldes introduit par la s.a. Fluxys LNG concernant l'exercice d'exploitation 2016 Beslissing over het tariefverslag met inbegrip van de saldi ingediend door de NV Fluxys LNG voor het exploitatiejaar 2016</li> </ul>
<b>(B)658E/43</b> <b>23.02.2017</b>	<ul style="list-style-type: none"> <li>● Décision relative à la partie de la proposition tarifaire actualisée adaptée introduite par Elia System Operator SA relative au tarif pour obligations de service public pour le financement des mesures de soutien aux énergies renouvelables en Région wallonne Beslissing betreffende het gedeelte van het aangepaste geactualiseerde tariefvoorstel dat door Elia System Operator nv is ingediend betreffende het tarief voor openbare dienstverplichtingen voor de financiering van de steunmaatregelen voor hernieuwbare energie in Wallonië</li> </ul>
<b>(B)658E/44</b> <b>13.07.2017</b>	<ul style="list-style-type: none"> <li>● Décision relative à la demande d'approbation du rapport tarifaire adapté incluant les soldes introduit par la SA Elia System Operator concernant l'exercice d'exploitation 2016 Beslissing over de vraag tot goedkeuring van het aangepast tariefverslag met inbegrip van de saldi ingediend door de nv Elia System Operator met betrekking tot het boekjaar 2016</li> </ul>
<b>(B)658E/45</b> <b>29.06.2017</b>	<ul style="list-style-type: none"> <li>● Décision sur les objectifs à atteindre par la SA Elia System Operator en 2018 dans le cadre de l'incitant laissé à la discrétion de la CREG visé à l'article 27 de la méthodologie tarifaire Beslissing over de doelstellingen die Elia System Operator nv in 2018 moet behalen in het kader van de stimulans overgelaten aan het eigen inzicht van de CREG zoals bedoeld in artikel 27 van de tariefmethodologie</li> </ul>
<b>(B)658E/46</b> <b>21.12.2017</b>	<ul style="list-style-type: none"> <li>● Décision sur les objectifs à atteindre par Elia en 2018 dans le cadre de l'incitant à l'intégration du marché visé à l'article 24, §1<sup>er</sup>, 2) et §3 de la méthodologie tarifaire Beslissing over de doelstellingen die Elia in 2018 moet behalen in het kader van de stimulans voor de marktintegratie zoals bedoeld in artikel 24, §1, 2) en §3 van de tariefmethodologie</li> </ul>
<b>(B)658E/47</b> <b>16.11.2017</b>	<ul style="list-style-type: none"> <li>● Décision sur la proposition tarifaire actualisée introduite par la SA Elia System Operator relative à un nombre de tarifs pour les obligations de service public et à un nombre de taxes et surcharges, d'application à partir du 1<sup>er</sup> janvier 2018 Beslissing over het geactualiseerd tariefvoorstel, ingediend door de nv Elia System Operator, met betrekking tot een aantal tarieven voor de openbare dienstverplichtingen en een aantal taksen en toeslagen, met toepassing vanaf 1 januari 2018</li> </ul>
<b>(B)658E/48</b> <b>14.12.2017</b>	<ul style="list-style-type: none"> <li>● Décision relative à la demande d'approbation de la proposition tarifaire actualisée en vue d'une modification à partir du 1<sup>er</sup> janvier 2018 du tarif pour le financement de l'obligation de service public de la Réserve stratégique, introduite par la SA Elia System Operator Beslissing over de vraag tot goedkeuring van het geactualiseerd tariefvoorstel tot aanpassing vanaf 1 januari 2018 van het tarief voor de financiering van de openbare dienstverplichting van de Strategische Reserve, ingediend door de nv Elia System Operator</li> </ul>
<b>(B)1219E/17-18-19-20</b> <b>26.01.2017</b> <b>20.04.2017</b> <b>17.07.2017</b> <b>27.10.2017</b>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur EBEM durant le premier, deuxième, troisième et quatrième trimestre de 2017 Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprijz door de leverancier EBEM tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>

● Published act.

<p><b>(B)1219G/17-18-19-20</b> ●  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<p>Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur EBEM durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprijis door de leverancier EBEM tijdens het eerste, tweede, derde en vierde kwartaal van 2017</p>
<p><b>(B)1220E/17-18-19-20</b> ●  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<p>Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur EDF LUMINUS durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprijis door de leverancier EDF LUMINUS tijdens het eerste, tweede, derde en vierde kwartaal van 2017</p>
<p><b>(B)1220G/17-18-19-20</b> ●  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<p>Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur EDF LUMINUS durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprijis door de leverancier EDF LUMINUS tijdens het eerste, tweede, derde en vierde kwartaal van 2017</p>
<p><b>(B)1221E/17-18-19-20</b> ●  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<p>Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur ELECTRABEL durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprijis door de leverancier ELECTRABEL tijdens het eerste, tweede, derde en vierde kwartaal van 2017</p>
<p><b>(B)1221G/17-18-19-20</b> ●  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<p>Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur ELECTRABEL durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprijis door de leverancier ELECTRABEL tijdens het eerste, tweede, derde en vierde kwartaal van 2017</p>
<p><b>(B)1222E/17-18-19-20</b> ●  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<p>Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur ELEGANT durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprijis door de leverancier ELEGANT tijdens het eerste, tweede, derde en vierde kwartaal van 2017</p>
<p><b>(B)1222G/17-18-19-20</b> ●  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<p>Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur ELEGANT durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprijis door de leverancier ELEGANT tijdens het eerste, tweede, derde en vierde kwartaal van 2017</p>
<p><b>(B)1223E/2-3-4-5</b> ●  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<p>Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur ENECO durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprijis door de leverancier ENECO tijdens het eerste, tweede, derde en vierde kwartaal van 2017</p>

<p><b>(B)1223G/17-18-19-20</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur ENECO durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contracttypes met een variabele energieprijis door de leverancier ENECO tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(B)1224E/10-11-12-13</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur ENI durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contracttypes met een variabele energieprijis door de leverancier ENI tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(B)1224G/10-11-12-13</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur ENI durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contracttypes met een variabele energieprijis door de leverancier ENI tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(B)1225E/17-18-19-20</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur ESSENT durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contracttypes met een variabele energieprijis door de leverancier ESSENT tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(B)1225G/17-18-19-20</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur ESSENT durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contracttypes met een variabele energieprijis door de leverancier ESSENT tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(B)1226E/5-6-7-8</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur LAMPIRIS durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contracttypes met een variabele energieprijis door de leverancier LAMPIRIS tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(B)1226G/17-18-19-20</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur LAMPIRIS durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contracttypes met een variabele energieprijis door de leverancier LAMPIRIS tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(B)1227E/17-18-19-20</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur OCTA+ durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contracttypes met een variabele energieprijis door de leverancier OCTA+ tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>

● Published act.

<p><b>(B)1227G/17-18-19-20</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur OCTA+ durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprij door de leverancier OCTA+ tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(B)1268G/15-16-17-18</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur ANTARGAZ durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprij door de leverancier ANTARGAZ tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(B)1285G/14-15-16-17</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur WATZ durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprij door de leverancier WATZ tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(B)1323E/12-13-14-15</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur MEGA durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprij door de leverancier MEGA tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(B)1323G/12-13-14-15</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur MEGA durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprij door de leverancier MEGA tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(B)1379E/10-11-12-13</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur ENERGY PEOPLE durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprij door de leverancier ENERGY PEOPLE tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(B)1379G/1-2-3-4</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur ENERGY PEOPLE durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprij door de leverancier ENERGY PEOPLE tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(B)1409E/8-9-10-11</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur COMFORT ENERGY durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprij door de leverancier COMFORT ENERGY tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>

<p><b>(B)1409G/8-9-10-11</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur COMFORT ENERGY durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contracttypes met een variabele energieprijis door de leverancier COMFORT ENERGY tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(B)1427E/7-8-9-10</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur ASPIRAVI ENERGY durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contracttypes met een variabele energieprijis door de leverancier ASPIRAVI ENERGY tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(B)1442/4</b>  <b>22.12.2017</b></p>	<ul style="list-style-type: none"> <li>● Décision relative à la méthodologie de tarification relative au contrat d'accès conclu avec Interconnector (UK) et au règlement d'accès d'Interconnector (UK)  Beslissing betreffende de vergoedingsmethodologie met betrekking tot de toegangsovereenkomst met Interconnector (UK) en het toegangsreglement van Interconnector (UK)</li> </ul>
<p><b>(B)1524E/4-5</b>  <b>26.01.2017</b>  <b>20.04.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur KLINKENBERG ENERGY durant le premier et deuxième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contracttypes met een variabele energieprijis door de leverancier KLINKENBERG ENERGY tijdens het eerste en tweede kwartaal van 2017</li> </ul>
<p><b>(B)1524G/2-3-4-5</b>  <b>26.01.2017</b>  <b>20.04.2017</b>  <b>17.07.2017</b>  <b>27.10.2017</b></p>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur KLINKENBERG ENERGY durant le premier, deuxième, troisième et quatrième trimestre de 2017  Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contracttypes met een variabele energieprijis door de leverancier KLINKENBERG ENERGY tijdens het eerste, tweede, derde en vierde kwartaal van 2017</li> </ul>
<p><b>(E)1588</b>  <b>19.01.2017</b></p>	<ul style="list-style-type: none"> <li>● Proposition relative à l'octroi d'une autorisation de fourniture d'électricité à Burgo Energia  Voorstel betreffende de toekenning van een vergunning voor de levering van elektriciteit aan Burgo Energia</li> </ul>
<p><b>(Z)1601</b>  <b>19.01.2017</b></p>	<ul style="list-style-type: none"> <li>● Note relative aux évolutions marquantes sur les marchés de gros de l'électricité et du gaz naturel en 2016.  Nota over de opvallende evoluties op de Belgische groothandelsmarkten elektriciteit en gas in 2016</li> </ul>
<p><b>(B)1602</b>  <b>20.04.2017</b></p>	<ul style="list-style-type: none"> <li>● Décision relative à l'établissement des critères pour l'octroi de dérogations aux dispositions des codes de réseau RfG, DCC et/ou HVDC  Beslissing houdende vastlegging van de criteria voor het toestaan van afwijkingen van bepalingen van de netcodes RfG, DCC en/of HVDC</li> </ul>
<p><b>(B)1603</b>  <b>29.06.2017</b></p>	<ul style="list-style-type: none"> <li>● Décision sur la demande commune d'EPEX SPOT Belgium SA, de Nord Pool AS et de tous les opérateurs désignés du marché de l'électricité d'approbation du plan modifié relatif à l'exercice conjoint des fonctions d'OCM  Beslissing over de gemeenschappelijke goedkeuringsaanvraag van EPEX SPOT Belgium en Nord Pool AS en alle benoemde elektriciteitsmarktbeheerders voor het gewijzigde plan betreffende de gezamenlijke uitoefening van de MCO-functies</li> </ul>
<p><b>(A)1604</b>  <b>12.01.2017</b></p>	<ul style="list-style-type: none"> <li>● Avis portant sur l'avant-projet de décret modifiant le décret du 12 avril 2001 relatif à l'organisation du marché régional de l'électricité  Advies over het voorontwerp van decreet tot wijziging van het decreet van 12 april 2001 betreffende de organisatie van de gewestelijke elektriciteitsmarkt</li> </ul>
<p><b>(B)1605</b>  <b>30.03.2017</b></p>	<ul style="list-style-type: none"> <li>● Décision sur la proposition de la SA Elia System Operator concernant l'adaptation des règles de fonctionnement du marché relatif à la compensation des déséquilibres quart-heures - Entrée en vigueur partiellement au 1<sup>er</sup> mai 2017 et entièrement au 1<sup>er</sup> juillet 2017  Beslissing betreffende het voorstel van de NV Elia System Operator over de werkingsregels van de markt voor de compensatie van de kwartieronevenwichten – Gedeeltelijke inwerkingtreding op 1 mei 2017 en volledige inwerkingtreding op 1 juli 2017</li> </ul>

● Published act.



<b>(A)1606</b> <b>19.01.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à la demande de la SA Fluxys pour l'octroi d'une autorisation de transport pour le détournement de la canalisation de transport de gaz naturel suite à la démolition du pont surmontant un élargissement de l'accès au bassin à Tessenderlo. Advies over de aanvraag van de NV Fluxys Belgium voor de toekenning van een bijvoegsel bij de vervoersvergunning A323-860 van 15 april 1977 voor de omlegging van de aardgasvervoersleiding wegens de afbraak van de brug over een verbreding van de toegang tot de Havenkom te Tessenderlo</li> </ul>
<b>(Z)1607</b> <b>26.01.2017</b>	<ul style="list-style-type: none"> <li>● Note relative à la proposition de « procédure de constitution de la réserve stratégique » soumise à consultation par la SA Elia System Operator Nota over het voorstel van "procedure voor aanleg van strategische reserve" dat door de N.V. Elia System Operator ter consultatie wordt voorgelegd</li> </ul>
<b>(B)1608</b> <b>01.02.2017</b>	<ul style="list-style-type: none"> <li>● Décision relative à la proposition soumise par Interconnector (UK) Limited de règlement d'accès d'IUK et aux règles pour le service de reprofilage 2017 et le service de conversion simplifiée 2017 Beslissing over het door Interconnector (UK) Limited ingediende voorstel van Toegangsreglement van IUK en de regels van de Profielherzieningsdienst 2017 en van de Vereenvoudigde Conversiedienst 2017</li> </ul>
<b>(F)1609</b> <b>17.07.2017</b>	<ul style="list-style-type: none"> <li>● Étude relative au fonctionnement et évolution des prix sur le marché de gros belge de l'électricité – rapport de monitoring 2016 Studie over de werking van en de prijsevolutie op de Belgische groothandelsmarkt voor elektriciteit – monitoringrapport 2016 Study on the functioning and price evolution of the Belgian wholesale electricity market – monitoring report 2016</li> </ul>
<b>(B)1610</b> <b>16.02.2017</b>	<ul style="list-style-type: none"> <li>● Décision sur les modifications des conditions générales des contrats de responsable d'accès proposées par le gestionnaire du réseau Beslissing over de wijzigingen van de algemene voorwaarden van de contracten van toegangsverantwoordelijke, voorgesteld door de netbeheerder</li> </ul>
<b>(A)1611</b> <b>23.02.2017</b>	<ul style="list-style-type: none"> <li>● Avis sur la proposition de résolution visant à la modification de l'accord 'Le consommateur dans le marché libéralisé de l'électricité et du gaz' afin de renforcer la protection des consommateurs d'électricité et de gaz, déposée par M. Michel de Lamotte, Mme Catherine Fonck et M. Benoît Lutgen Advies over het voorstel van resolutie over de wijziging van de overeenkomst 'De consument in de vrijgemaakte elektriciteits- en gasmarkt' en over de betere bescherming van de elektriciteits- en gasconsumenten, ingediend door de heer Michel de Lamotte, mevrouw Catherine Fonck en de heer Benoît Lutgen</li> </ul>
<b>(RA)1612</b> <b>23.02.2017</b>	<ul style="list-style-type: none"> <li>● Rapport relatif au caractère manifestement déraisonnable ou non des prix offerts à Elia System Operator SA pour la fourniture du service de black-start pour la période du 1<sup>er</sup> novembre 2017 au 31 décembre 2020 Verslag over het al dan niet manifest onredelijk karakter van aangeboden prijzen aan Elia van de black-start dienst voor de periode van 1 november 2017 tot 31 december 2020</li> </ul>
<b>(B)1613</b> <b>23.02.2017</b>	<ul style="list-style-type: none"> <li>● Décision relative à la demande de la SA Fluxys Belgium d'approbation du règlement d'accès pour le transport de gaz naturel et du programme de transport de gaz naturel modifiés Beslissing over de aanvraag van de NV Fluxys Belgium tot goedkeuring van het gewijzigde Toegangsreglement voor aardgasvervoer en Aardgasvervoersprogramma</li> </ul>
<b>(B)1615</b> <b>06.07.2017</b>	<ul style="list-style-type: none"> <li>● Décision relative à la demande d'octroi de certificats verts pour l'électricité produite par les éoliennes G01, G02, G03, G04, G05, G06, G07, G08, G09, G10, H01, H02, H03, H04, H05, H06, H07, H08, H09, H10, I01, I02, I03, I04, I05, I06, I07, I08, I09, I10, J01, J02, J03, J04, J05, J06, J07, J08, J09, J10, K01, K02, K03, K04, K05, K06, K07, K08, K09 et K10 par Nobelwind Beslissing over de aanvraag van Nobelwind voor de toekenning van groenestroomcertificaten voor de elektriciteit opgewekt door de windmolens G01, G02, G03, G04, G05, G06, G07, G08, G09, G10, H01, H02, H03, H04, H05, H06, H07, H08, H09, H10, I01, I02, I03, I04, I05, I06, I07, I08, I09, I10, J01, J02, J03, J04, J05, J06, J07, J08, J09, J10, K01, K02, K03, K04, K05, K06, K07, K08, K09 en K10</li> </ul>
<b>(F)1616</b> <b>16.03.2017</b>	<ul style="list-style-type: none"> <li>● Étude sur les composantes des prix de l'électricité et du gaz naturel Studie over de componenten van de elektriciteits- en aardgasprijzen</li> </ul>
<b>(A)1618</b> <b>17.07.2017</b>	<ul style="list-style-type: none"> <li>● Avis final sur le programme d'engagements de la SA Balansys Eindadvies over het nalevingsprogramma van de NV Balansys</li> </ul>

● Published act.

● Act not published due to the confidentiality of the information it contains. The board of directors may evaluate the confidential nature of information in view of, amongst others, the Guidelines concerning confidential information due to their commercially sensitive or personal nature, as published on the CREG website.

<b>(B)1619</b> <b>07.04.2017</b>	<ul style="list-style-type: none"> <li>● Décision relative à la proposition de la SA Elia System Operator apportant un addenda aux règles de fonctionnement de la réserve stratégique applicables à compter du 1<sup>er</sup> novembre 2017 Beslissing over het voorstel van de NV Elia System Operator houdende een addendum aan de werkingsregels van de strategische reserve van toepassing vanaf 1 november 2017</li> </ul>
<b>(Z)1620</b> <b>06.04.2017</b>	<ul style="list-style-type: none"> <li>● Rapport relatif à l'évolution des paramètres d'indexation des fournisseurs d'électricité et de gaz Verslag over de evolutie van de indexeringsparameters van de elektriciteits- en gasleveranciers</li> </ul>
<b>(Z)1621</b> <b>20.04.2017</b>	<ul style="list-style-type: none"> <li>● Rapport comparatif des objectifs formulés dans la note de politique générale de la CREG et des réalisations de l'année 2016 Vergelijkend verslag van de doelstellingen geformuleerd in het beleidsplan van de CREG en van de verwezenlijkingen van het jaar 2016</li> </ul>
<b>(B)1622E/1-2-3</b> <b>20.04.2017</b> <b>17.07.2017</b> <b>27.10.2017</b>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur TREVION durant le deuxième, troisième et quatrième trimestre de 2017 Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprijis door de leverancier TREVION tijdens het tweede, derde en vierde kwartaal van 2017</li> </ul>
<b>(B)1623G/1-2-3</b> <b>20.04.2017</b> <b>20.07.2017</b> <b>27.10.2017</b>	<ul style="list-style-type: none"> <li>● Décisions relatives à la constatation de l'application correcte de la formule d'indexation et la conformité avec la liste exhaustive des critères admis pour les contrats-types à prix variable de l'énergie par le fournisseur JOIN (ENOVOS) durant le deuxième, troisième et quatrième trimestre de 2017 Beslissingen over de vaststelling van de correcte toepassing van de indexeringsformule en de conformiteit met de exhaustieve lijst van toegelaten criteria voor de contract-types met een variabele energieprijis door de leverancier JOIN (ENOVOS) tijdens het tweede, derde en vierde kwartaal van 2017</li> </ul>
<b>(E)1624</b> <b>30.03.2017</b>	<ul style="list-style-type: none"> <li>● Proposition relative à l'octroi d'une autorisation de fourniture d'électricité à Energie I&amp;V België sprl Voorstel betreffende de toekenning aan Energie I&amp;V België bvba van een vergunning voor de levering van elektriciteit</li> </ul>
<b>(E)1625</b> <b>30.03.2017</b>	<ul style="list-style-type: none"> <li>● Proposition relative à l'octroi d'une autorisation de fourniture d'électricité à Total Gas &amp; Power Limited Voorstel betreffende de toekenning aan Total Gas &amp; Power Limited van een vergunning voor de levering van elektriciteit</li> </ul>
<b>(F)1626</b> <b>18.05.2017</b>	<ul style="list-style-type: none"> <li>● Étude relative à la composition des portefeuilles de produits par fournisseur et le potentiel d'économies pour les ménages sur le marché belge de l'électricité et du gaz naturel Studie over de samenstelling van de productportefeuilles per leverancier en het besparingspotentieel voor particulieren op de Belgische elektriciteits- en aardgasmarkt</li> </ul>
<b>(B)1627</b> <b>18.05.2017</b>	<ul style="list-style-type: none"> <li>● Décision sur la proposition commune modifiée de la SA Elia System Operator et de tous les gestionnaires de réseau de transport visant un modèle de réseau commun Beslissing over de goedkeuringsaanvraag van Elia System Operator NV voor het gewijzigde gemeenschappelijke voorstel voor een methodologie voor het gemeenschappelijk netwerkmodel</li> </ul>
<b>(F)1628</b> <b>16.11.2017</b>	<ul style="list-style-type: none"> <li>● Étude relative à la rentabilité opérationnelle des centrales TGV existantes en Belgique Studie over de winstgevendheid van de bestaande STEG-centrales in België</li> </ul>
<b>(E)1629</b> <b>04.05.2017</b>	<ul style="list-style-type: none"> <li>● Proposition relative à l'octroi d'une autorisation de fourniture d'électricité à ArcelorMittal Energy SCA Voorstel betreffende de toekenning van een vergunning voor de levering van elektriciteit aan ArcelorMittal Energy SCA</li> </ul>
<b>(A)1630</b> <b>13.07.2017</b>	<ul style="list-style-type: none"> <li>● Avis sur le caractère manifestement déraisonnable ou non des prix offerts à Elia System Operator SA pour la fourniture de la réserve stratégique en réponse à l'appel d'offres de 2017 Advies over het al dan niet manifest onredelijk karakter van de aan Elia aangeboden prijzen voor de levering van de strategische reserve in antwoord op de offerteaanvraag van 2017</li> </ul>
<b>(B)1631</b> <b>06.07.2017</b>	<ul style="list-style-type: none"> <li>● Décision concernant la méthode d'évaluation et détermination de la puissance de réserve primaire, secondaire et tertiaire pour 2018 Beslissing betreffende de vraag tot goedkeuring van de evaluatiemethode en de bepaling van het primair, secundair en tertiair reservevermogen voor 2018</li> </ul>
<b>(B)1632</b> <b>06.07.2017</b>	<ul style="list-style-type: none"> <li>● Décision sur la proposition de la S.A. Elia System Operator concernant l'adaptation des règles de fonctionnement du marché relatif à la compensation des déséquilibres quart-heures – Entrée en vigueur suite à la décision de la CREG B(xxxx) du xx/xx/2017 Beslissing betreffende het voorstel van NV Elia System Operator betreffende de aanpassing van de werkingsregels van de markt voor de compensatie van de kwartieronevenwichten - Inwerkingtreding ingevolge beslissing (B)xxxx van de CREG van xx/xx/2017</li> </ul>

● Published act.

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## 5. The CREG

<b>(Z)1633</b> <b>24.05.2017</b>	<ul style="list-style-type: none"> <li>Note sur l'analyse des prix day-ahead pour fourniture à l'heure 12 le 6 avril 2017 et à l'heure 10 le 10 avril 2017</li> <li>Nota over de analyse van day-ahead prijzen voor levering om uur 12 op 6 april 2017 en uur 10 op 10 april 2017</li> <li>Note Review of day-ahead prices for delivery at hour 12 on April 6 and hour 10 on April 10</li> </ul>
<b>(Z)1634</b> <b>16.11.2017</b>	<ul style="list-style-type: none"> <li>Note sur l'enquête 2015</li> <li>Nota over onderzoek 2015</li> </ul>
<b>(A)1635</b> <b>18.05.2017</b>	<ul style="list-style-type: none"> <li>Avis relatif au besoin de renouvellement de l'autorisation de production individuelle de la SA Dils-Energie suite au retrait de l'actionnaire Siemens Project Ventures GmbH</li> <li>Advies betreffende de noodzaak van vernieuwing van de productievergunning van de nv Dils-Energie na uittreding van de aandeelhouder Siemens Project Ventures GmbH</li> </ul>
<b>(B)1636</b> <b>05.10.2017</b>	<ul style="list-style-type: none"> <li>Décision relative à la proposition de la SA Elia System Operator portant sur une méthodologie d'utilisation du Dynamic Line Rating dans le calcul des capacités</li> <li>Beslissing over het voorstel van de NV Elia System Operator voor een methodologie voor het gebruik van Dynamic Line Rating in de capaciteitsberekening</li> </ul>
<b>(F)1637</b> <b>05.10.2017</b>	<ul style="list-style-type: none"> <li>Étude relative à l'application de législations européennes et nationales dans le cadre de la transparence des marchés belges de gros du gaz naturel et de l'électricité</li> <li>Studie over de toepassing van de Europese en Belgische wetgeving in het kader van de transparantie van de Belgische groothandelsmarkten voor elektriciteit en aardgas</li> </ul>
<b>(B)1638</b> <b>15.06.2017</b>	<ul style="list-style-type: none"> <li>Décision sur la proposition commune de la SA Elia System Operator et de tous les gestionnaires de réseau de transport relative à l'heure limite unique pour la fermeture journalière</li> <li>Beslissing over het gemeenschappelijk voorstel van de NV Elia System Operator en alle transmissiesysteembeheerders voor de termijn voor de day-ahead vastheid</li> </ul>
<b>(F)1639</b> <b>09.06.2017</b>	<ul style="list-style-type: none"> <li>Étude relative à la composition des portefeuilles de produits par fournisseur et au potentiel d'économies pour les pme et les indépendants sur le marché belge de l'électricité et du gaz naturel</li> <li>Studie over de samenstelling van de productportefeuilles per leverancier en het besparingspotentieel voor kmo's en zelfstandigen op de Belgische elektriciteits- en aardgasmarkt</li> </ul>
<b>(A)1640</b> <b>01.06.2017</b>	<ul style="list-style-type: none"> <li>Avis relatif à l'octroi d'une autorisation individuelle de fourniture de gaz naturel à Novatek Gas &amp; Power GmbH</li> <li>Advies over de aanvraag van een individuele leveringsvergunning voor aardgas aan Novatek Gas &amp; Power GmbH</li> </ul>
<b>(A)1641</b> <b>22.06.2017</b>	<ul style="list-style-type: none"> <li>Avis relatif à la marge de profitabilité de la production industrielle d'électricité par fission de combustibles nucléaires par les centrales soumises à la contribution de répartition (Doel 3, Doel 4, Tihange 2 et Tihange 3) pour l'année 2016</li> <li>Advies betreffende de winstmarge van de industriële productie van elektriciteit door splijting van kernbrandstoffen door de centrales onderworpen aan de repartitiebijdrage (Doel 3, Doel 4, Tihange 2 en Tihange 3) voor het jaar 2016</li> </ul>
<b>(RA)1642</b> <b>22.06.2017</b>	<ul style="list-style-type: none"> <li>Rapport sur la vérification des revenus et des coûts réels de la centrale nucléaire de Tihange 1 pour la période du 1<sup>er</sup> janvier 2016 au 31 décembre 2016 conformément à la Convention relative à la prolongation de la durée de vie de Tihange 1 datée du 12 mars 2014 et à la modification de la Convention relative à la prolongation de la durée de vie datée du 31 mars 2017</li> <li>Rapport over de verificatie van de inkomsten en de werkelijke kosten van de kerncentrale van Tihange 1 voor de periode van 1 januari 2016 tot 31 december 2016 overeenkomstig de Conventie aangaande de verlenging van de levensduur van Tihange 1 de dato 12 maart 2014 en de wijziging van de Conventie aangaande de verlenging van de levensduur de dato 31 maart 2017</li> </ul>
<b>(A)1643</b> <b>29.06.2017</b>	<ul style="list-style-type: none"> <li>Avis relatif à l'indépendance de monsieur Bernard Gustin en tant qu'administrateur indépendant dans les conseils d'administration d'Elia System Operator SA et d'Elia Asset SA</li> <li>Advies over de onafhankelijkheid van de heer Bernard Gustin als onafhankelijke bestuurder in de raden van bestuur van Elia System Operator NV en Elia Asset NV</li> </ul>
<b>(A)1644</b> <b>15.06.2017</b>	<ul style="list-style-type: none"> <li>Avis relatif à la demande de la SA Fluxys Belgium d'octroi d'une autorisation de transport A323-4206 pour une station de détente de gaz naturel 39,5 bars-14,7 bars à Grimbergen (Strombeek-Bever)</li> <li>Advies over de aanvraag van de NV Fluxys Belgium voor de toekenning van een vervoersvergunning A323-4206 voor een drukreducerstation voor aardgas 39,5 bar - 14,7 bar te Grimbergen (Strombeek-Bever)</li> </ul>

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<b>(A)1645</b> <b>19.06.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à la proposition de loi du 7 mars 2017 relative au pouvoir de décision au sein du comité de direction de la CREG (Doc. Parl., Chambre, sess. 2016-2017, n° 54 2345/001) Advies betreffende het wetsvoorstel van 7 maart 2017 betreffende de beslissingsbevoegdheid binnen het directiecomité van de CREG (Parl. St., Kamer, zitting 2016-2017, nr. 54 2345/001)</li> </ul>
<b>(A)1647</b> <b>29.06.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à l'indépendance de madame Jane Murphy en tant qu'administrateur indépendant dans les conseils d'administration d'Elia System Operator SA et d'Elia Asset SA Advies over de onafhankelijkheid van mevrouw Jane Murphy als onafhankelijke bestuurder in de raden van bestuur van Elia System Operator NV en Elia Asset NV</li> </ul>
<b>(A)1648</b> <b>29.06.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif au projet d'arrêté royal modifiant l'arrêté royal du 20 décembre 2000 relatif aux conditions et à la procédure d'octroi des concessions domaniales pour la construction et l'exploitation d'installations de production d'électricité à partir de l'eau, des courants ou des vents, dans les espaces marins sur lesquels la Belgique peut exercer sa juridiction conformément au droit international de la mer Advies over het ontwerp van koninklijk besluit tot wijziging van het koninklijk besluit van 20 december 2000 betreffende de voorwaarden en de procedure voor de toekenning van domeinconcessies voor de bouw en de exploitatie van installaties voor de productie van elektriciteit uit water, stromen of winden, in de zeegebieden waarin België rechtsmacht kan uitoefenen overeenkomstig het internationaal zeerecht</li> </ul>
<b>(A)1649</b> <b>17.07.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à l'octroi d'une autorisation individuelle de fourniture de gaz naturel à Eneco België BV Advies over de toekenning van een individuele leveringsvergunning voor aardgas aan Eneco België BV</li> </ul>
<b>(A)1650</b> <b>06.07.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à l'indépendance de madame Héléne Deslauriers en tant qu'administrateur indépendant de Fluxys Belgium SA Advies over de onafhankelijkheid van mevrouw Héléne Deslauriers als onafhankelijke bestuurder van Fluxys Belgium NV</li> </ul>
<b>(Z)1651</b> <b>07.09.2017</b>	<ul style="list-style-type: none"> <li>● Note relative aux mesures tendant à améliorer le fonctionnement du marché : mise à jour de la note (Z)160711-CDC-1546 Nota over de maatregelen voor een verbeterde marktwerking: update van Nota (Z)160711-CDC-1546</li> </ul>
<b>(A)1652</b> <b>17.07.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à l'arrêté ministériel modifiant l'arrêté ministériel du 30 mars 2007 portant fixation de prix maximaux sociaux pour la fourniture de gaz aux clients résidentiels protégés à revenus modestes ou à situation précaire Advies over het ontwerp van ministerieel besluit tot wijziging van het ministerieel besluit van 30 maart 2007 houdende vaststelling van sociale maximumprijzen voor de levering van aardgas aan de beschermde residentiële klanten met een laag inkomen of in een kwetsbare situatie</li> </ul>
<b>(B)1653</b> <b>17.07.2017</b>	<ul style="list-style-type: none"> <li>● Décision relative à la demande de la SA Fluxys Belgium d'approbation du Contrat standard de transport de gaz naturel, du Règlement d'accès pour le transport de gaz naturel et du Programme de transport de gaz naturel modifiés Beslissing over de aanvraag van de NV Fluxys Belgium tot goedkeuring van het gewijzigde Standaard Aardgasvervoerscontract, Toegangsreglement voor aardgasvervoer en Aardgasvervoersprogramma.</li> </ul>
<b>(Z)1654/1</b> <b>21.12.2017</b>	<ul style="list-style-type: none"> <li>● Arrêté fixant la méthodologie tarifaire pour le raccordement à - et l'utilisation d'une interconnexion Besluit tot vaststelling van de tariefmethodologie voor de aansluiting op en het gebruik van een interconnectie</li> </ul>
<b>(Z)1655</b> <b>17.07.2017</b>	<ul style="list-style-type: none"> <li>● Note – Analyse des résultats du marché journalier au 1<sup>er</sup> mai 2017 Nota – Analyse van de resultaten van de day-aheadmarkt van 1 mei 2017 Note - Review of CWE day-ahead market results during May 1 2017</li> </ul>
<b>(A)1656</b> <b>17.07.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à un avant-projet d'arrêté royal déterminant les modalités d'affectation du solde du fonds de réductions forfaitaires pour le chauffage au gaz naturel et à l'électricité Advies over een ontwerp van koninklijk besluit tot vaststelling van de nadere regels voor de besteding van het saldo van het fonds voor forfaitaire verminderingen voor verwarming met aardgas en elektriciteit</li> </ul>
<b>(B)1657</b> <b>16.10.2017</b>	<ul style="list-style-type: none"> <li>● Décision relative à la mise en œuvre de certains aspects du Règlement (UE) 2017/460 de la Commission européenne du 16 mars 2017 établissant un code de réseau sur l'harmonisation des structures tarifaires pour le transport du gaz Beslissing over de implementatie van bepaalde aspecten van verordening (EU) 2017/460 van de Europese Commissie van 16 maart 2017 tot vaststelling van een netcode betreffende geharmoniseerde transmissietariefstructuren voor gas</li> </ul>

● Published act.

## 5. The CREG

<b>(B)1658</b> <b>19.10.2017</b>	<ul style="list-style-type: none"> <li>● Décision sur la proposition de la SA Elia System Operator concernant l'adaptation des règles de fonctionnement du marché relatif à la compensation des déséquilibres quart-horaires – Entrée en vigueur au 01/01/2018 Beslissing over het voorstel van NV Elia System Operator betreffende de aanpassing van de werkingsregels van de markt voor de compensatie van de kwartieronevenwichten – Inwerkingtreding op 01/01/2018</li> </ul>
<b>(A)1659</b> <b>07.09.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à la demande de la SA Infrabel d'octroi de la qualité de gestionnaire de réseau de traction ferroviaire Advies over de aanvraag van de NV Infrabel tot toekenning van de hoedanigheid van beheerder van het tractienet spoor</li> </ul>
<b>(B)1660</b> <b>21.09.2017</b>	<ul style="list-style-type: none"> <li>● Décision finale relative à la fixation du facteur de correction portant sur la 2e période (03.10.2017 - 02.10.2018) pour la détermination du prix minimum des certificats verts délivrés pour l'électricité produite par les installations de la concession domaniale de Rentel Eindbeslissing over de vastlegging van de correctiefactor voor de 2de periode (03/10/2017-02/10/2018) ter bepaling van de minimumprijs voor de groenestroomcertificaten uitgereikt voor de elektriciteit geproduceerd door de installaties in de domeinconcessie van Rentel</li> </ul>
<b>(A)1661</b> <b>31.08.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à un projet d'arrêté royal modifiant l'arrêté royal du 19 décembre 2002 établissant un règlement technique pour la gestion du réseau de transport de l'électricité et l'accès à celui-ci Advies over een ontwerp van koninklijk besluit tot wijziging van het koninklijk besluit van 19 december 2002 houdende een technisch reglement voor het beheer van het transmissienet van elektriciteit en de toegang ertoe</li> </ul>
<b>(A)1662</b> <b>07.09.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à la demande d'octroi d'une autorisation individuelle de fourniture de gaz naturel à Direct Energie SA Advies over de aanvraag tot toekenning van een individuele leveringsvergunning voor aardgas aan Direct Energie NV</li> </ul>
<b>(A)1663</b> <b>07.09.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à la demande d'octroi d'une autorisation individuelle de fourniture de gaz naturel à Direct Energie Belgium SA Advies over de aanvraag tot toekenning van een individuele leveringsvergunning voor aardgas aan Direct Energie Belgium NV</li> </ul>
<b>(Z)1666</b> <b>23.11.2017</b>	<ul style="list-style-type: none"> <li>● Note sur l'enquête 2016 Nota over onderzoek 2016</li> </ul>
<b>(F)1667</b> <b>21.09.2017</b>	<ul style="list-style-type: none"> <li>● Étude relative aux mécanismes de fixation du prix de l'énergie en vigueur en 2016 au sein des contrats de fourniture d'électricité des grands clients industriels d'Electrabel sa Studie over de mechanismen voor het bepalen van de in 2016 geldende energieprijzen in overeenkomsten voor elektriciteitslevering van de grote industriële klanten van Electrabel</li> </ul>
<b>(F)1668</b> <b>21.09.2017</b>	<ul style="list-style-type: none"> <li>● Étude relative aux mécanismes de fixation du prix de l'énergie en vigueur en 2016 au sein des contrats de fourniture d'électricité des grands clients industriels d'EDF Luminus sa Studie over de mechanismen voor het bepalen van de in 2016 geldende energieprijzen in overeenkomsten voor elektriciteitslevering van de grote industriële klanten van EDF Luminus nv</li> </ul>
<b>(A)1669</b> <b>07.09.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à un projet d'arrêté royal relatif aux conditions et à la procédure d'octroi des concessions domaniales au gestionnaire du réseau pour la construction et l'exploitation d'installations pour la transmission d'électricité dans les espaces marins sur lesquels la Belgique peut exercer sa juridiction Advies over een ontwerp van koninklijk besluit betreffende de voorwaarden en de procedure voor de toekenning van domeinconcessies aan de netbeheerder voor de bouw en de exploitatie van installaties nodig voor de transmissie van elektriciteit, in de zeegebieden waarin België rechtsmacht kan uitoefenen</li> </ul>
<b>(A)1670</b> <b>14.09.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à la demande d'octroi d'une autorisation individuelle de fourniture de gaz naturel à Wingas GmbH Advies over de aanvraag tot toekenning van een individuele leveringsvergunning voor aardgas aan Wingas GmbH</li> </ul>
<b>(A)1671</b> <b>05.10.2017</b>	<ul style="list-style-type: none"> <li>● Avis sur le renouvellement du mandat d'Ernst &amp; Young Réviseurs d'Entreprises, représentée par monsieur Patrick Rottiers, auprès d'Elia System Operator SA et d'Elia Asset SA Advies over de hernieuwing van het mandaat van Ernst &amp; Young Bedrijfsrevisoren, vertegenwoordigd door de heer Patrick Rottiers, bij Elia System Operator NV en Elia Asset NV</li> </ul>

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<b>(A)1672</b> <b>05.10.2017</b>	<ul style="list-style-type: none"> <li>● Avis sur le renouvellement du mandat de Klynveld Peat Marwick Goerdeler Réviseurs d'Entreprises, représentée par monsieur Alexis Palm, auprès d'Elia System Operator SA et d'Elia Asset SA Advies over de hernieuwing van het mandaat van Klynveld Peat Marwick Goerdeler Bedrijfsrevisoren, vertegenwoordigd door de heer Alexis Palm, bij Elia System Operator NV en Elia Asset NV</li> </ul>
<b>(F)1673</b> <b>21.09.2017</b>	<ul style="list-style-type: none"> <li>● Étude sur la fourniture en gaz naturel des grands clients industriels en Belgique en 2016 Studie over de aardgaslevering aan grote industriële klanten in België in 2016</li> </ul>
<b>(B)1674</b> <b>28.09.2017</b>	<ul style="list-style-type: none"> <li>● Décision relative à la proposition commune de la SA Elia System Operator et de tous les gestionnaires de réseau de transport visant à modifier la détermination des régions pour le calcul de la capacité Beslissing over het gemeenschappelijke voorstel van de NV Elia System Operator en alle transmissiesysteembeheerders voor een wijziging van de afbakening van capaciteitsberekeningsregio's</li> </ul>
<b>(B)1675</b> <b>16.11.2017</b>	<ul style="list-style-type: none"> <li>● Décision relative à la proposition commune de la SA Elia System Operator et de tous les gestionnaires de réseau de transport relative aux exigences concernant la plateforme d'allocation unique et à la méthodologie pour le partage des coûts de cette plateforme Beslissing over het gemeenschappelijk voorstel van de NV Elia System Operator en alle transmissiesysteembeheerders voor de eisen betreffende het centrale toewijzingsplatform en de methodologie voor het delen van de kosten van het centrale toewijzingsplatform</li> </ul>
<b>(Z)1676</b> <b>05.10.2017</b>	<ul style="list-style-type: none"> <li>● Rapport relatif au monitoring des éventuels effets perturbateurs sur le marché, durant la période 2013-2017, dans le cadre du mécanisme du filet de sécurité introduit par l'article 20bis, §§1<sup>er</sup> à 5 de la loi électricité et l'article 15/10bis, §§1<sup>er</sup> à 5 de la loi gaz Verslag over de monitoring van mogelijke marktversturende effecten, voor de periode 2013-2017, in het kader van het vangnetmechanisme ingevoerd via artikel 20bis, §§1 tot 5 van de Elektriciteitswet en artikel 15/10bis, §§1 tot 5 van de Gaswet</li> </ul>
<b>(F)1678</b> <b>05.10.2017</b>	<ul style="list-style-type: none"> <li>● Étude relative aux prix pratiqués sur le marché belge du gaz naturel en 2016 Studie over de prijzen op de Belgische aardgasmarkt in 2016</li> </ul>
<b>(E)1679</b> <b>05.10.2017</b>	<ul style="list-style-type: none"> <li>● Proposition relative à l'octroi d'une autorisation de fourniture d'électricité à Direct Energie SA Voorstel betreffende de toekenning van een vergunning voor de levering van elektriciteit aan Direct Energie SA</li> </ul>
<b>(E)1680</b> <b>05.10.2017</b>	<ul style="list-style-type: none"> <li>● Proposition relative à l'octroi d'une autorisation de fourniture d'électricité à Direct Energie Belgium SA Voorstel betreffende de toekenning van een vergunning voor de levering van elektriciteit aan Direct Energie Belgium SA</li> </ul>
<b>(F)1681</b> <b>05.10.2017</b>	<ul style="list-style-type: none"> <li>● Étude relative au fonctionnement et évolution des prix sur le marché de gros belge pour le gaz naturel - rapport de surveillance 2016 Studie betreffende de werking van en de prijzevolutie op de Belgische groothandelsmarkt voor aardgas - monitoringrapport 2016</li> </ul>
<b>(RA)1682</b> <b>05.10.2017</b>	<ul style="list-style-type: none"> <li>● Rapport relatif au caractère manifestement déraisonnable ou non des prix offerts à Elia System Operator SA pour la fourniture du service de réglage de la tension en 2018 Verslag over het al dan niet manifest onredelijk karakter van aangeboden prijzen aan Elia voor de levering van een dienst voor de regeling van spanning in 2018</li> </ul>
<b>(B)1683</b> <b>16.10.2017</b>	<ul style="list-style-type: none"> <li>● Décision relative à la proposition commune, formulée par la SA Elia System Operator et tous les gestionnaires de réseau de transport de la région de calcul de la capacité Core, de conception régionale des droits de transport à long terme Beslissing over het gemeenschappelijke voorstel van de NV Elia System Operator en alle transmissiesysteembeheerders van de Core capaciteitsberekeningsregio voor het regionale ontwerp inzake langetermijnrechten betreffende transmissie</li> </ul>
<b>(B)1684</b> <b>16.10.2017</b>	<ul style="list-style-type: none"> <li>● Décision relative à la proposition commune, formulée par la SA Elia System Operator et tous les gestionnaires de réseau de transport de la région de calcul de la capacité Core, d'exigences régionales relatives aux règles d'allocation harmonisées Beslissing over het gemeenschappelijke voorstel van de NV Elia System Operator en alle transmissiesysteembeheerders van de Core capaciteitsberekeningsregio voor de regionale eisen betreffende de geharmoniseerde toewijzingsregels</li> </ul>
<b>(RA)1685</b> <b>27.10.2017</b>	<ul style="list-style-type: none"> <li>● Rapport relatif à la relation entre les coûts et les prix sur le marché belge du gaz naturel en 2016 Verslag over de verhouding tussen de kosten en de prijzen op de Belgische aardgasmarkt in 2016</li> </ul>

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<b>(C)1686</b> <b>09.11.2017</b>	<ul style="list-style-type: none"> <li>● Proposition sur le calcul de la surcharge destinée à compenser le coût réel net supporté par le gestionnaire du réseau résultant de l'obligation d'achat et de vente des certificats verts en 2018 Voorstel over de berekening van de toeslag om de reële nettokost te compenseren die door de netbeheerder gedragen wordt naar aanleiding van de aan- en verkoopverplichting van groenestroomcertificaten in 2018</li> </ul>
<b>(F)1687</b> <b>21.12.2017</b>	<ul style="list-style-type: none"> <li>● Étude - Functioning and design of the Central West European day-ahead flow based market coupling for electricity: Impact of TSOs Discretionary Actions Studie - Functioning and design of the Central West European day-ahead flow based market coupling for electricity: Impact of TSOs Discretionary Actions Study - Functioning and design of the Central West European day-ahead flow based market coupling for electricity: Impact of TSOs Discretionary Actions</li> </ul>
<b>(A)1688</b> <b>16.10.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à un projet d'arrêté royal imposant à [confidentiel] une obligation de service public couvrant le volume et le prix du service black-start du 1<sup>er</sup> novembre 2017 au 31 octobre 2019 Advies over het ontwerp van koninklijk besluit houdende oplegging aan [vertrouwelijk] van een openbare dienstverplichting tot dekking van het volume en de prijs voor de dienst voor black-start van 1 november 2017 tot 31 oktober 2019</li> </ul>
<b>(A)1689</b> <b>16.10.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à un projet d'arrêté royal imposant à [confidentiel] une obligation de service public couvrant le volume et le prix du service black-start du 1<sup>er</sup> novembre 2017 au 31 octobre 2019 Advies over het ontwerp van koninklijk besluit houdende oplegging aan [vertrouwelijk] van een openbare dienstverplichting tot dekking van het volume en de prijs voor de dienst voor black-start van 1 november 2017 tot 31 oktober 2019</li> </ul>
<b>(A)1692</b> <b>27.10.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à la demande d'octroi d'une autorisation individuelle de fourniture de gaz naturel à Total Gas &amp; Power Limited Advies over de toekenning van een individuele leveringsvergunning voor aardgas aan Total Gas &amp; Power Limited</li> </ul>
<b>(A)1693</b> <b>27.10.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à la demande de la SA Fluxys Belgium d'une autorisation de transport pour la construction d'une nouvelle station de détente de gaz naturel à Kalmhout (Gageltjes) Advies over de aanvraag van de NV Fluxys Belgium voor een vervoersvergunning voor de bouw van een nieuw drukreducerstation voor aardgas te Kalmhout (Gageltjes)</li> </ul>
<b>(F)1694</b> <b>23.11.2017</b>	<ul style="list-style-type: none"> <li>● Étude relative à la fourniture d'électricité des grands clients industriels en Belgique en 2016 Studie over de elektriciteitsbelevering van grote industriële klanten in België in 2016</li> </ul>
<b>(B)1695</b> <b>21.12.2017</b>	<ul style="list-style-type: none"> <li>● Décision relative aux principes de valorisation des installations à céder au gestionnaire du réseau dans le cadre du Modular Offshore Grid Beslissing over de principes van de valorisatie van de installaties die overgedragen worden aan de netbeheerder in het kader van het Modular Offshore Grid</li> </ul>
<b>(Z)1696</b> <b>26.10.2018</b>	<ul style="list-style-type: none"> <li>● Note de politique générale pour l'année 2018 Algemene beleidsnota voor het jaar 2018</li> </ul>
<b>(C)1697</b> <b>09.11.2017</b>	<ul style="list-style-type: none"> <li>● Proposition d'arrêté royal portant détermination de la date ultime à laquelle chaque partie du Modular Offshore Grid doit être mise en service et du dispositif d'indemnisation des titulaires d'une concession domaniale offshore concernés en cas d'indisponibilité du Modular Offshore Grid Voorstel van koninklijk besluit ter bepaling van de uiterste datum waarop elk deel van het Modular Offshore Grid in dienst moet zijn gesteld, alsook van het vergoedingsstelsel ten behoeve van de betrokken titularissen van een offshore domeinconcessie in geval van onbeschikbaarheid van het Modular Offshore Grid</li> </ul>
<b>(A)1698</b> <b>09.11.2017</b>	<ul style="list-style-type: none"> <li>● Avis relatif à la demande d'autorisation de transport pour la construction d'une nouvelle station de détente de gaz naturel à Dendermonde Advies over de aanvraag van een vervoersvergunning voor de bouw van een nieuw drukreducerstation voor aardgas te Dendermonde</li> </ul>
<b>(A)1699</b> <b>16.11.2017</b>	<ul style="list-style-type: none"> <li>● Avis sur un projet d'arrêté royal portant modifications de l'arrête royal du 24 mars 2003 fixant les modalités de la cotisation fédérale destinée au financement de certaines obligations de service public et des coûts liés à la régulation et au contrôle du marché de l'électricité et de l'arrête royal du 2 avril 2014 fixant les modalités de la cotisation fédérale destinée au financement de certaines obligations de service public et des coûts liés à la régulation et au contrôle du marché du gaz naturel Advies over een ontwerp van koninklijk besluit tot wijziging van het koninklijk besluit van 24 maart 2003 tot bepaling van de nadere regels betreffende de federale bijdrage tot financiering van sommige openbare dienstverplichtingen en van de kosten verbonden aan de regulering van en controle op de elektriciteitsmarkt en van het koninklijk besluit van 2 april 2014 tot vaststelling van de nadere regels betreffende de federale bijdrage bestemd voor de financiering van bepaalde openbare dienstverplichtingen en van de kosten verbonden aan de regulering van en controle op de aardgasmarkt</li> </ul>

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<b>(E)1700</b> <b>16.11.2017</b>	<ul style="list-style-type: none"> <li>Proposition relative à l'octroi d'une autorisation de fourniture d'électricité à la Société Européenne de Gestion de l'Énergie SA Voorstel over de toekenning van een vergunning voor de levering van elektriciteit aan Société Européenne de Gestion de l'Énergie SA</li> </ul>
<b>(A)1701</b> <b>23.11.2017</b>	<ul style="list-style-type: none"> <li>Avis relatif à la demande de la SA Fluxys Belgium d'autorisation de transport pour la pose d'une nouvelle conduite de transport de gaz naturel visant le raccordement du client industriel Tessenderlo Chemie à Ham Advies over de aanvraag van de NV Fluxys Belgium van een vervoersvergunning voor de aanleg van een nieuwe aardgasvervoersleiding voor de aansluiting van de industriële afnemer Tessenderlo Chemie te Ham.</li> </ul>
<b>(A)1702</b> <b>23.11.2017</b>	<ul style="list-style-type: none"> <li>Avis relatif à l'octroi d'une autorisation individuelle de fourniture de gaz naturel à Powerhouse BV Advies over de toekenning van een individuele leveringsvergunning voor aardgas aan Powerhouse BV</li> </ul>
<b>(A)1703</b> <b>30.11.2017</b>	<ul style="list-style-type: none"> <li>Avis relatif à la demande de l'asbl Vinçotte portant sur le renouvellement de son agrément en tant qu'organisme de contrôle Advies over de vraag van de vzw Vinçotte tot hernieuwing van de erkenning als keuringsinstelling</li> </ul>
<b>(E)1705</b> <b>30.11.2017</b>	<ul style="list-style-type: none"> <li>Proposition relative à l'octroi d'une autorisation de fourniture d'électricité à Powerhouse BV Voorstel betreffende de toekenning aan Powerhouse BV van een vergunning voor de levering van elektriciteit</li> </ul>
<b>(Z)1706</b> <b>30.11.2017</b>	<ul style="list-style-type: none"> <li>Note - Analyse de la CREG relative à l'étude d'Elia 'Electricity scenarios for Belgium towards 2050 - Elia's quantified study on the energy transition in 2030 and 2040' Nota - Analyse van de CREG over de studie van Elia 'Electricity scenarios for Belgium towards 2050 - Elia's quantified study on the energy transition in 2030 and 2040'</li> </ul>
<b>(Z)1707</b> <b>30.11.2017</b>	<ul style="list-style-type: none"> <li>Note relative à une analyse étendue de la rémunération de capacité en conditions de pénurie Nota over een uitgebreide analyse van de vergoeding van capaciteit in periodes van schaarste Note on an Extended Analysis on the Remuneration of Capacity under Scarcity Conditions</li> </ul>
<b>(A)1708</b> <b>07.12.2017</b>	<ul style="list-style-type: none"> <li>Avis relatif à un projet d'arrêté royal imposant à EDF-Luminus SA une obligation de service public couvrant le volume et le prix du service réglage de la tension et de la puissance réactive du 1<sup>er</sup> janvier 2018 au 31 décembre 2018 inclus Advies over het ontwerp van koninklijk besluit houdende oplegging van een openbare dienstverplichting aan EDF Luminus NV tot dekking van het volume en de prijs voor de dienst regeling van de spanning en het reactief vermogen vanaf 1 januari 2018 tot en met 31 december 2018</li> </ul>
<b>(A)1709</b> <b>07.12.2017</b>	<ul style="list-style-type: none"> <li>Avis relatif à un projet d'arrêté royal imposant à Electrabel SA une obligation de service public couvrant le volume et le prix du service réglage de la tension et de la puissance réactive du 1<sup>er</sup> janvier 2018 au 31 décembre 2018 inclus Advies over het ontwerp van koninklijk besluit houdende oplegging van een openbare dienstverplichting aan Engie tot dekking van het volume en de prijs voor de dienst regeling van de spanning en het reactief vermogen vanaf 1 januari 2018 tot en met 31 december 2018</li> </ul>
<b>(A)1710</b> <b>07.12.2017</b>	<ul style="list-style-type: none"> <li>Avis relatif à un projet d'arrêté royal imposant à RWE Supply &amp; Trading GmbH une obligation de service public couvrant le volume et le prix du service réglage de la tension et de la puissance réactive du 1<sup>er</sup> janvier 2018 au 31 décembre 2018 inclus Advies over het ontwerp van koninklijk besluit houdende oplegging van een openbare dienstverplichting aan RWE Supply &amp; Trading GmbH tot dekking van het volume en de prijs voor de dienst regeling van de spanning en het reactief vermogen vanaf 1 januari 2018 tot en met 31 december 2018</li> </ul>
<b>(B)1711</b> <b>14.12.2017</b>	<ul style="list-style-type: none"> <li>Décision relative à la demande d'approbation du règlement d'accès GNL modifié pour le terminal GNL de Zeebrugge, du règlement d'accès modifié pour le chargement de camions GNL au terminal GNL de Zeebrugge, du contrat GNL modifié pour le chargement de camions GNL au terminal GNL de Zeebrugge et du programme de terminalling GNL modifié Beslissing over de aanvraag tot goedkeuring van het gewijzigde LNG toegangsreglement voor de LNG Terminal van Zeebrugge, het gewijzigde toegangsreglement voor het laden van LNG Trucks voor de LNG Terminal van Zeebrugge, de gewijzigde LNG Overeenkomst voor het Laden van LNG Trucks in de LNG Terminal van Zeebrugge en het gewijzigde LNG Terminalling programma</li> </ul>
<b>(A)1714</b> <b>21.12.2017</b>	<ul style="list-style-type: none"> <li>Avis relatif à l'indépendance de madame Roberte Kesteman en tant qu'administrateur indépendant des conseils d'administration d'Elia System Operator SA et d'Elia Asset SA Advies over de onafhankelijkheid van mevrouw Roberte Kesteman als onafhankelijke bestuurder in de raden van bestuur van Elia System Operator NV en Elia Asset NV</li> </ul>

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