

## **AMENDMENTS TO THE RULES**

### **ON THE OPERATION OF THE ELECTRICITY MARKET – UNOFFICIAL TRANSLATION**

#### **Article 1**

The second and third indents of the fourth paragraph of Article 19 shall be amended to read as follows:

“- the date of expiry of the compensation agreement or a provision of its indefinite-time validity, together with the provision that even in case of the withdrawal of the compensation agreement it cannot cease to have effect before the deadlines specified in Articles 39 and 41;

- the provisions on reasons for termination with a notice period which shall meet all the conditions concerning the enforcement day referred to in Articles 39 and 41 of these Rules;”.

#### **Article 2**

The first paragraph of Article 21 shall be amended to read as follows:

“(1) Transition of the Balance Scheme members between the Balance Groups or Subgroups can take place in the following cases:

- transition due to the cancellation of a balancing agreement and the conclusion of a compensation agreement;

- transition due to the expiration, withdrawal or cancellation of a compensation agreement together with the conclusion of a balancing agreement or a new compensation agreement, and

- in other cases of transition within the implementation of the Market Operator’s tasks;”.

#### **Article 3**

The text of Article 39 shall be amended to read as follows:

»Article 39

(Termination of the compensation agreement)

(1) The Balance Responsible Party or Balance Subgroup Responsible Party may withdraw from or terminate the compensation agreement with a hierarchically inferior Balance Scheme member in accordance with the contractually agreed reasons for cancellation. If a hierarchically lower member has on the day of termination or withdrawal hierarchically lower members of the balance subgroup or is a supplier to customers or producers, the termination or withdrawal may take effect on the first day of the month following at least three months from the date on which the market operator was informed. The status of the supplier is checked by the Market Operator with the competent Electricity System Operator.

(2) The Balance Subgroup Responsible Party may withdraw from or terminate the compensation agreement with a hierarchically superior Balance Scheme member in accordance with the contractually agreed reasons for termination and provided that:

- it has no Balance Subgroup members, it is not a supplier to any consumer or producer, and it does not supply any self-owned delivery points, all of which ceases its membership in the Balance Scheme, or

- it concludes a balancing agreement with the Market Operator or concludes a new compensation agreement with another Balance Scheme member which forms a foundation for its membership in the Balance Group or Subgroup thus retaining a status of the Balance Scheme member.

(3) The Balance Responsible Party or Balance Subgroup Responsible Party shall notify the Market Operator and any hierarchically superior Balance Responsible Party of the expiry of the compensation agreement concluded with the hierarchically inferior Balance Scheme member.

(4) The withdrawal or termination of the compensation agreement becomes effective on the day of the entry of the termination into the Record of Balance Scheme membership agreements. The entry of the termination shall be made within five working days at the latest after the receipt of the notification referred to in the previous paragraph or in accordance with the second sentence of the first paragraph of this Article.

(5) In the event of withdrawal or termination of the compensation agreement, the Balance Responsible Party may inform the Market Operator of the desired date of registering the termination into the Record of Balance Scheme membership agreements which was agreed between the parties to the compensation agreement, which also means the date when the withdrawal or termination of the compensation agreement shall take effect and which shall in no case be prior to the deadline referred to in the previous paragraph.

#### **Article 4**

The text of Article 41 shall be amended to read as follows:

“Article 41

(Enforcement days of changes to the Balance Scheme)

(1) The date of the entry into the Record of Balance Scheme membership agreements shall be regarded as the enforcement date in the procedure of acquiring, changing or ceasing the membership.

(2) In the event of an extension of validity of the compensation agreement, the Market Operator shall be notified at least three months before the expiry of the compensation agreement.

(3) In the event of:

- the transition among Balance Groups or Balance Subgroups due to the termination of the balancing agreement with the conclusion of a compensation agreement, or
- the transition due to the expiry, withdrawal or termination of the compensation agreement with the conclusion of a balancing agreement or a new compensation agreement

the transition shall take effect on the basis of the entry in the Record of Balance Scheme membership agreements, which shall be carried out on the first day of the month beginning at least two months later from the moment when all the terms and conditions for entry in the Record have been met, or the first day of the month agreed between the Market Operator and the Balance Scheme member, should that day come later.

(4) A balance scheme member may procedurally arrange documentation with the Market Operator regarding the extension of validity of the existing basis for inclusion in the Balance Scheme or transition, regardless of its current form of membership in the Balance Scheme. At any point in time, the inclusion in the Balance Scheme can have only one basis, with the exception of members with special status.

(5) In the event of the transition of members with a special status in the Balance Scheme, the transition takes effect on the basis of the entry in the Record of Balance Scheme membership agreements, which is carried out:

- on the first day of the month following the month when all the conditions have been met for the entry into the record; or
- on the first day of the month agreed between the Market Operator and Balance Scheme member, should that day come later.

(6) If due to untimely extension of the compensation agreement, transition or other reason the loss of status of Balance Scheme member may occur, the Market Operator shall notify the Energy Agency and Electricity System Operators by e-mail, and the latter shall notify balance affiliated customers and producers. The Market Operator shall also publicly record this in the Record of Balance Scheme membership agreements on its website, including the warning about the possibility of last resort supply. The Market Operator shall also inform the stakeholders in the event that the reason should cease to apply.

## **Article 5**

In Article 118, the third paragraph shall be amended to read as follows: “(3) The amount of funds required for covering risks referred to in the preceding paragraph equals the maximum net liability arising from the monthly imbalance settlements of the Balance Responsible Parties, taking into account the value added tax, in the past 24 months.”

## **Article 6**

In Article 122, in the seventh paragraph, the phrase “to the maximum of 50%” shall be amended to read “to the maximum of 100%”.

**Article 7**

In Article 125, in the third paragraph, the phrase “to the maximum of 50%” shall be amended to read “to the maximum of 100%”.

**Article 8**

In Article 129, in the sixth paragraph, the phrase “at least three working days” shall be amended to read “at least two months”.

**Article 9**

In Article 131, the second indent of the first paragraph shall be amended to read “- if a financial settlement participant fails to submit requested financial guarantees within the specified deadlines or”.

**Transitional and final provision****Article 10**

The Balance Responsible Party or The Balance Subgroup Responsible Party is obliged to provide the required mandatory elements of the compensation agreement in accordance with the provisions of the second and third indents of the fourth paragraph of Article 19 of these Rules for all existing compensation agreements two months after the entry into force of these rules.

**Article 11**

These changes and amendments to the Rules on the Operation of the Electricity Market shall enter into force on the fifteenth day after their publication in the Official Gazette of the Republic of Slovenia.

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Ljubljana, \_\_\_\_\_ (date)

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