ACER approves the compliance programme of the single gas balancing operator in Belgium and Luxembourg

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The European Union Agency for the Cooperation of Energy Regulators (ACER) published today its decision approving the compliance programme of the gas balancing operator Balansys SA., which is owned in equal shares by the Belgian and Luxembourgish Transmission System Operators (TSOs). ACER's approval is a key element in the further integration of the balancing markets of Belgium and Luxembourg.

ACER's analysis showed that the compliance programme contained sufficient guarantees to exclude possible discriminatory and anticompetitive conduct on the part of Balansys. Critical elements that merited particular attention in the decision were Balansys' degree of reliance on the parent TSOs as well as its decision making process and the independence criteria of its key staff.

Due to the nature of the tasks being delegated to Balansys, the decision also closely examines the responsibility of the delegating TSOs and the delegated entity. It concludes that, in the current case, the parent TSOs and Balansys are concurrently liable and responsible for the good performance of the delegated balancing tasks. In addition, the decision accepts that the compliance programme criteria and objectives as laid down in the Gas Directive also apply to a joint undertaking of an ownership unbundled TSO and an exempted vertically integrated TSO.

You can access the Decision here.