
**Establishment of the Regional Coordination Centre for
the South East Europe System Operation Region in
accordance with Article 35 of the Regulation 2019/943
of the European Parliament and of the Council of 5
June 2019 on the internal market for electricity**

24 June 2022

Whereas

- (1) SEleNe CC is the existing Regional Security Coordinator (hereafter referred to as “RSC”) for Greece – Italy (hereinafter referred to as “GRIT”) and South East Europe (hereinafter referred to as “SEE”) Capacity Calculation Regions (hereinafter referred to as “CCRs”), appointed by the relevant TSOs in accordance with Article 76 and 77 of the Regulation (EU) 2017/1485 establishing a guideline on electricity transmission system operation (hereafter referred to as “SO Regulation”).
- (2) The Regulation (EU) 2019/943 on the internal market for electricity (hereafter referred to as “Regulation 2019/943”) introduced a new entity, named Regional Coordination Centre (hereinafter referred to as “RCC”), with the aim to improve the cooperation among TSOs and to replace the RSC starting from 1st July 2022.
- (3) Each RCC operates within a System Operation Region (hereinafter referred to as “SOR”). Each SOR encompasses one or more CCRs and includes a number of TSOs. According to Article 36 of Regulation 2019/943, the SOR configuration is proposed by ENTSO-E and approved by ACER.
- (4) In accordance with Article 35 of the Regulation 2019/943, the TSOs of a SOR shall develop a proposal to establish the competent RCC (hereinafter referred to as “RCC Establishment Provisions”). The proposal is subject to the approval of the competent regulatory authorities, i.e., the regulatory authorities competent for the TSOs included in the SOR.
- (5) ACER Decision 10/2020 of 6 April 2020 provided a first definition of the SORs, establishing the South East Europe System Operation Region (hereafter referred to as “SEE SOR”) encompassing only the SEE CCR and the Transmission System Operators (hereafter referred as “TSOs”) ESO EAD and IPTO.
- (6) Following ACER Decision 10/2020, the TSOs of the SEE SOR developed the RCC Establishment Provisions for the SEE SOR (hereinafter referred to as “SEE RCC Establishment Provisions”), establishing the existing RSC SEleNe CC as the RCC for SEE SOR (hereafter referred to as “SEE RCC”). This version was approved by the regulatory authorities of SEE SOR (Bulgarian and Greek NRAs) in March 2021 that clarified in their review that only ESO EAD and IPTO are SEE SOR Participating TSOs.
- (7) ACER Decision 5/2022 of 7 April 2022 on the definition of system operation regions (hereafter referred to as “ACER SOR Decision”) repeals ACER Decision 10/2020 proposing a new SOR configuration. In particular SEE SOR encompasses GRIT and SEE CCRs involving the TSOs ESO EAD, IPTO and Terna.
- (8) Following the adoption of the ACER SOR Decision, the TSOs of the SEE SOR developed a new version of the SEE RCC Establishment provisions aimed to confirm the establishment of SEleNe CC as the RCC for SEE SOR but including Terna among SEE SOR Participating TSOs.
- (9) This document represents the new version of the SEE RCC Establishment Provisions and is intended to replace the first version approved in March 2021. Besides adding Terna among SEE SOR Participating TSOs, the proposal reflects changes in Articles of Association of SEleNe CC and updates the provisions related to the delegation of tasks in light of the most recent evolutions.
- (10) According to Article 4(5) of Annex I of the ACER SOR Decision,

- a. the RCC established by the TSOs in the SEE SOR shall coordinate the BG-RO bidding zone border in accordance with the applicable terms, conditions and methodologies and perform the tasks of regional relevance among the tasks listed in Article 37(1) of Regulation 2019/943 in cooperation with Transelectrica, which will have a contractual relationship with the RCC and the tasks of cross regional relevance together with the RCC(s) established by the TSOs of Central Europe SOR, as necessary;
 - b. the RCC established by the TSOs in the SEE SOR shall coordinate cross-regional aspects of the tasks listed in Article 37(1) of Regulation 2019/943 for the IT NORD – IT CNOR bidding zone border with the relevant RCC established by the TSOs of Central Europe SOR;
 - c. where the tasks listed in Article 37(1) of the Regulation 2019/943 are relevant to the entire control area of Terna, the RCC established by the TSOs in the Central Europe SOR or the RCC established by the TSOs in the SEE SOR shall coordinate with Terna the execution of these tasks.
- (11) The SEE RCC Establishment Provisions consider the general principles and goals set in the Regulation 2019/943 as well as:
- a. the Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity (hereafter referred to as "Directive 2019/944"),
 - b. the Regulation (EU) 2019/941 on risk-preparedness in the electricity sector (hereinafter referred to as "Regulation 2019/941");
 - c. all the applicable Network Codes and Guidelines referred to in the Regulation 2019/943, adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009 such as the SO Regulation, Regulation (EU) 2015/1222 establishing a guideline on capacity allocation and congestion management (hereafter referred to as "CACM Regulation"), Regulation (EU) 2016/1719 establishing a guideline on forward capacity allocation (hereafter referred to as "FCA Regulation"), Regulation (EU) 2017/2195 establishing a guideline on electricity balancing (hereafter referred to as 'EB Regulation') and Regulation (EU) 2017/2196 establishing a network code on electricity emergency and restoration (hereafter referred to as 'ER Regulation'), each, where applicable, as amended by Implementing Regulation (EU) 2021/280 of 22 February 2021 amending Regulations (EU) 2015/1222, (EU) 2016/1719, (EU) 2017/2195 and (EU) 2017/1485 in order to align them with Regulation (EU) 2019/942 establishing a European Union Agency for the Cooperation of Energy Regulators..

TITLE I

General Provisions

Article 1

Subject matter and scope

1. The SEE RCC Establishment Provisions aim at establishing the existing RSC SEleNe CC as RCC for SEE SOR as of 1 July 2022 in accordance with Article 35(1) of the Regulation 2019/943.

Article 2

Definitions and interpretation

1. For the purposes of the SEE RCC Establishment Provisions, the terms used shall have the meaning of the definitions included in Article 2 of the Regulation 2019/943, in the Directive 2019/944, in Article 3 of the SO Regulation and in Article 2 of the CACM Regulation, as well as in any applicable legislation.
2. The following acronyms and abbreviations are used in this document:
 - i) ESO EAD means Electricity System Operator EAD;
 - ii) IPTO means Independent Power Transmission Operator S.A;
 - iii) Non-EU TSOs means a third country TSO not bound by the Regulation 2019/943;
 - iv) OCR means Outage Coordination Region;
 - v) Participating TSOs means TSOs assigned to SEE SOR pursuant to ACER Decision 5/2022
 - vi) Serviced TSO means any TSO recipient of services of regional or cross regional relevance or pan-European services from SEE RCC.
 - vii) SLA means Service Level Agreement;
 - viii) Terna means Terna - Rete Elettrica Nazionale SpA;
 - ix) Third parties means any party other than SEE RCC, SEE TSOs and serviced TSOs. Third parties are not addressees of the tasks executed by the RCC under Article 37(1) of the Regulation 2019/943;
 - x) Transelectrica means C.N.T.E.E. Transelectrica S.A.;
 - xi) Working arrangements means arrangements describing the procedures for the efficient and effective delivery of RCC's tasks.
3. In this document, unless the context requires otherwise:
 - a) the singular indicates the plural and viceversa;
 - b) the table of contents and headings are inserted for convenience only and do not affect the interpretation of this document;
 - c) references to an "Article" are, unless otherwise stated, references to an Article of this document;
 - d) references to a "paragraph" are, unless otherwise stated, references to a paragraph included in the same Article of this document where it is mentioned; and

- e) any reference to legislation, regulations, directive, order, instrument, code or any other enactment shall include any modification, extension or re-enactment of it then in force.

TITLE II

RCC establishment, location and participating TSOs

Article 3

RCC establishment, seat and legal form

1. In application of Article 35(1)(a) of the Regulation 2019/943, all TSOs in the SEE SOR establish the existing entity SEleNe CC as the SEE RCCs keeping its current seat in Greece.
2. The legal form of SEleNe CC is incorporated under Greek law, as a Societe Anonyme (in Greek «Ανώνυμη Εταιρεία»), for an indefinite period of time. The legal form of SEleNe CC is in line with Article 35(3) of the Regulation 2019/943 and Annex II of Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017.
3. The seat of the SEE RCC shall be in Thessaloniki, Greece,. The seat is located within the EU in accordance with Article 35(4) of the Regulation 2019/943.
4. Based on the provisions of Article 44(2) of the Regulation 2019/943, the SEE RCC may incorporate subsidiary companies, acting as regional desks, in order to ensure the efficient and reliable operation of RCC tasks of sub-regional relevance related to Serviced TSOs' control areas. Subsidiaries shall take advantage of the local expertise needed to convey sub-regional specificities, while carrying out its tasks independently and impartially in line with the Regulation 2019/943.
5. Esperia CC Srl is a private company established as a subsidiary of the SEE RSC to perform functions which are relevant for the RSC tasks on the GRIT CCR and the Italian bidding zones encompassed by the GRIT CCR. Pursuant to paragraph 4, the SEE RCC incorporates the subsidiary Esperia CC to support RCC activities based on the working frameworks already established for the RSC tasks.
6. The TSOs of the SEE SOR shall inform the competent regulatory authorities whenever an additional subsidiary is established pursuant to paragraph 4.

Article 4

Participating TSOs

1. The participating TSOs of the SEE RCC are ESO EAD, IPTO and Terna, in accordance with the Annex I of the ACER SOR Decision.
2. Pursuant to Article 4(5)(c) of Annex I of the ACER SOR Decision, SEE RCC shall have a contractual relationship with Transelectrica as the TSO operating in a bidding zone and on a

bidding zone border (BG-RO) which are adjacent to the SEE SOR. SEE RCC shall coordinate the tasks of regional relevance for the BG-RO border, in cooperation with Transelectrica.

3. As a private company seated in EU Member State, the RCC should determine its composition autonomously, considering any applicable EU and national laws. Therefore, to the extent permitted by applicable national law, the shareholding of the RCC may include both TSOs from EU Member States and TSOs from non-EU Member States that have agreements to apply EU energy law (e.g. Contracting parties to the Energy Community Treaty).

TITLE III

Governance and Financial Structure

Article 5

Organisational and operational arrangements

1. In order to implement the RCC purpose pursuant to the Regulation 2019/943, the Board of Directors (hereinafter also “BoD”) of the SEE RCC shall have the capacity to decide on the RCC organizational structure. The organizational arrangements are based on the working frameworks already established at SEleNe CC for the RSC activities.
2. The organizational structure shall include at least the following:
 - a. corporate services including financial, HR, legal and regulatory compliance;
 - b. service operations, which consists of operators and staff responsible to implement and execute the tasks in line with Articles 8 to 12 of this Proposal;
 - c. service development, which consists of experts responsible to develop the tasks to be implemented by the RCC;
 - d. IT services, which consists of IT experts supporting the development and the implementation of the tasks and operation of the IT platforms.

The aforementioned business units list is merely indicative and the organization upholds its reservation for the listed names to evolve., and for additional business units to be established in the future, as the RCC structure extends.

3. Any or all corporate services may be outsourced to third party service providers, based on a decision of the BoD, if this is deemed appropriate for the efficient and effective operation of the SEE RCC.
4. The SEE RCC may delegate some of its tasks if the RCC deems that the delegated task will be performed more efficiently and on more economically attractive terms than if performed by the RCC itself and with at least the same duty of care and professionalism as if performed by the RCC itself. To the extent required for delegation of tasks, SEE RCC will obtain approval by the relevant TSOs and relevant regulatory authorities.

5. The SEE RCC shall be equipped with all necessary human, technical, physical and financial resources for fulfilling its obligations and carrying out its tasks independently and impartially in accordance with Article 45 of the Regulation 2019/943. In particular:
 - a. the employees engaged in the activities performed by the SEleNe CC as appointed RSC for the SEE and GRIT CCRs will be also engaged with the activities of the RCC, if and as relevant. Additionally, the SEE RCC shall directly hire personnel and the relevant TSOs may also make available the necessary personnel, taking into account applicable national employment law and ensuring effective exchange of know-how and experience; the relevant personnel shall perform its duties in accordance with Article 45 of the Regulation 2019/943;
 - b. the SEE RCC's operators shall be available in all timeframes to carry out the tasks of the RCC. The operators must be available on a 24 hours/7 days basis when required by the specific task;
 - c. training and certification of the SEE RCC personnel shall take place according to the methodology for the task mentioned by Article 37(1)(g) of the Regulation 2019/943;
 - d. the SEE RCC shall be equipped with all technical infrastructure and facilities necessary for the performance of its tasks with impartiality and independence;
 - e. the SEE RCC shall have a stand-by IT support available that can deal with any failure occurring during the performance of its tasks. This support may be arranged via a specific maintenance agreement;
 - f. service development activities may be organised through projects in partnership with internal and external stakeholders;
 - g. the SEE RCC and the Serviced TSOs shall agree on common communication systems ensuring the capacity to exchange information (voice and data);
 - h. the SEE RCC shall have a conferencing function that connects it with other RCCs and the TSOs to support the confirmation of coordinated actions in accordance with Article 12;
 - i. all communications among the SEE RCC, Serviced TSOs and other RCCs shall be in English language.
6. Monitoring pursuant to Article 46(1) of the Regulation 2019/943 shall be performed by the BoD or by a person or body appointed by the BoD and reporting directly to the BoD.

Article 6

Financial arrangements

1. The SEE RCC financial arrangements are established according to the relevant company law applicable in the location where the RCC is seated and based on the current processes and frameworks in place at SEleNe CC when acting as the appointed RSC for SEE and GRIT CCRs.
2. SLAs between the SEE RCC and the Serviced TSOs or other parties which are service recipients shall determine the fees related to the provision of the relevant services. The fees shall at least reflect the costs of delivering and further development of the services and any other applicable

operational costs related to the provision of the services, with addition of a commercial margin to be determined. The service fees and commercial margins will be reviewed and agreed at least on a yearly basis by the governing bodies and may differ among services provided to the Served TSOs and services provided to other recipient parties. For each service the fee for each Served TSO shall be computed with the same criteria independently on the fact that the Served TSO is a Participating TSO or not. The service fees will be invoiced to the recipients of the services as determined in the relevant SLAs.

3. The shareholders shall cooperate in good faith to ensure that the SEE RCC shall maintain all necessary financing and support as to the performance of its tasks under the Regulation 2019/943, including liability of the RCC towards the relevant TSOs, other RCCs and third parties, and further development of its services.
4. To the extent that additional funding is considered necessary by the shareholders either to cover additional investments or for the SEE RCC's operations, the shareholders to the extent applicable by law shall agree upon the form of funding, as deemed appropriate from time to time including equity increase, shareholders' loans, bank (bond) loans or any other form serving the RCC purposes, as the case may be.
5. In accordance with Article 46(2) of the Regulation 2019/943 the SEE RCC shall account for its costs in a transparent manner and report them to ACER and to all relevant regulatory authorities. Methods of financial controlling and reporting will comply with applicable national legislation and generally accepted best practices.

Article 7

Statutes and Rules of Procedure

1. The Statutes of the SEE RCC are set up by the General Assembly of shareholders according to the applicable Greek and European legislation. The Statutes also contain the principles usually foreseen as rules of procedure. They are attached to these SEE RCC Establishment Provisions.
2. The SEE RCC shall have a two-tier governance structure:
 - a. the General Assembly of the shareholders and
 - b. the Board of Directors.
3. The General Assembly of the shareholders shall be the supreme body of the company and may resolve upon in any business regarding the Company. Its resolutions duly bind even the absent or dissenting shareholders. The capacity of drafting and endorsing the statutes and rules of procedure shall be exclusive to the General Assembly of the shareholders.
4. The Company shall be managed by a Board of Directors which also fulfills the role of a Management Board as provided by Article 43 of the Regulation 2019/943. The Directors shall

- be appointed for a term of three (3) years, except if agreed otherwise. The Directors may be employees of the Participating TSOs and/or their affiliates. The Directors' term may be renewed.
5. The members of the BoD shall be responsible for the reparation of damages caused by their guilty actions and omissions. However, there is no responsibility when the members are able to prove that their actions or omissions:
 - are based on a previous legitimate general assembly decision; or
 - concern a reasonable business decision taken in good faith, based on sufficient information and solely on the basis of the incorporate interest; or
 - are based on a suggestion by an independent body or committee; or
 - they have shown “the care and diligence of a prudent businessman”.
 6. The general policy of the Company, as well as other operational issues such as those related to the Company' funding, service performance and invoicing of services fees, shall be determined by the BoD.
 7. The BoD shall be vested with the broadest powers to perform all acts necessary or useful for the realization of the corporate purpose, with the exception of the powers reserved to the General Assembly by the law.
 8. The day-to-day management of the Company, as well as the representation of the Company in relation to third parties, before courts and in official deeds shall be entrusted to a Managing Director.
 9. Once set up by the General Assembly of shareholders, any changes to the Statutes shall be submitted to the regulatory authorities of SEE SOR for the approval in accordance with Article 35(1)(d) of the Regulation 2019/943, as an amendment to the SEE RCC Establishment Provisions. To avoid unnecessary administrative burden, non-essential amendments should be collected and bundled over a period of at least 1 year and then submitted jointly for approval by the competent regulatory authorities.

Title III

Implementation plan

Article 8

Implementation plan

1. The SEE RCC shall enter into operation no later than 1st of July, 2022 replacing the existing RSC SEleNe CC pursuant to Article 35(2) of the Regulation 2019/943.

2. The responsibility and operation of services already performed by SELeNe CC as appointed RSC for SEE and GRIT CCRs shall be transferred to the SEE RCC as soon as the RCCs are operational. The tasks referred to in Article 37(1)(a-f) of the Regulation 2019/943 shall be implemented according to the CACM Regulation, the SO Regulation and the ER Regulation including the pan-European and CCR related methodologies adopted on their basis and in accordance with the provisions of Articles 9 to 12.
3. The implementation of the tasks listed in Article 37(g-p) of the Regulation 2019/943 shall be ensured in line with the requirements of Articles 9 to 12, taking into account the following:
 - a. the task referred to in Article 37(1)(g) “training and certification of staff working for regional coordination centres;” shall be implemented in line with the proposal developed by ENTSO-E and approved by ACER in accordance with Article 37(5) of the Regulation 2019/943.
 - b. the task referred to in Article 37(1)(h) “supporting the coordination and optimisation of regional restoration”, in case requested by the SEE TSOs, shall be implemented in line with the proposal to be developed by ENTSO-E and approved by ACER in accordance with Article 37(5) of the Regulation 2019/943.
 - c. the task referred to in Article 37(1)(i) “post-operation and post-disturbances analysis and reporting” shall be implemented in line with the proposal developed by ENTSO-E and approved by ACER in accordance with Article 37(5) of the Regulation 2019/943 and in accordance with the arrangements defined in relevant ENTSO-E framework;
 - d. the task listed in Article 37(1)(j) “regional sizing of reserve capacity” shall be implemented in line with the proposal to be developed by ENTSO-E and approved by ACER in accordance with Article 37(5) of the Regulation 2019/943 and with the arrangements defined in Article 9 to provide clear responsibilities to SEE RCC for the execution of this task;
 - e. the task listed in Article 37(1)(k) “facilitating the regional procurement of balancing capacity” shall be implemented in line with the proposal to be developed by ENTSO-E and approved by ACER in accordance with Article 37(5) of the Regulation 2019/943 and with the arrangements defined in Article 9 to provide clear responsibilities to SEE RCC for the execution of this task;
 - f. the task pursuant to Article 37(1)(l) for the optimization of inter-transmission system operators settlements is delegated by SEE CCR TSOs. The task shall be implemented in line with the proposal to be developed by ENTSO-E and approved by ACER in accordance with Article 37(5) of the Regulation 2019/943 and with the arrangements defined in Article 9 to provide clear responsibilities to SEE RCC for the execution of this task;
 - g. the task referred to in Article 37(1)(m) “carrying out tasks related to the identification of regional electricity crisis scenarios” shall be performed in case it is delegated by ENTSO-E in accordance with the methodology developed pursuant to Article 6(1) of the Regulation 2019/941;

- h. the task referred to in Article 37(1)(n), “carrying out tasks related to seasonal adequacy assessment” shall be performed in case it is delegated by ENTSO-E in accordance with the methodology developed pursuant to Article 9(2) of the Regulation 2019/941;
 - i. the task referred to in Article 37(1)(o), “calculating the value for the maximum entry capacity available for the participation of foreign capacity in capacity mechanisms for the purposes of issuing a recommendation pursuant to Article 26(7)” shall be performed in accordance with the methodology pursuant to Article 26(11) of the Regulation 2019/943 and in line with the proposal to be developed by ENTSO-E and approved by ACER in accordance with Article 37(5) of the Regulation 2019/943;
 - j. the tasks referred to in Article 37(1)(p) ”supporting TSOs in the identification of needs for new transmission capacity, for upgrade of existing transmission capacity or their alternatives, to be submitted to the regional groups established pursuant to Regulation 2013/347 and included in the Ten-Year Network Development Plan (TYNDP) referred to in Article 51 of Directive (EU) 2019/944” shall be implemented in line with the proposal to be developed by ENTSO-E and approved by ACER in accordance with Article 37(5) of the Regulation 2019/943;
4. Pursuant to Article 4 of Annex I of the ACER SOR Decision, the SEE RCC shall implement coordinated long term capacity calculation in accordance with the Methodologies developed for SEE and GRIT CCRs, pursuant to Articles 10 of FCA Regulation.
5. The SEE RCC shall implement and execute in accordance with provisions of Articles 9 to 12 at least tasks pursuant to Article 37(1), letters a, b, d, e, f, of the Regulation 2019/943 for the BG-RO bidding zone border, in cooperation with Transelectrica, according to Article 4(5)(b, c) of Annex I of the ACER SOR Decision
6. Tasks which are relevant in the entire control area of Terna shall be delegated to either the SEE RCC or the Central RCC(s) and performed in coordination with Terna pursuant to Article 4(5)(e) of Annex I of ACER SOR Decision, according to the arrangements provided by the respective RCC establishment proposals. Terna may decide to modify the delegation of these tasks to either the SEE RCC or the Central RCC(s): in this event, Terna shall operate in order to have both these SEE RCC Establishment Provisions and the RCC Establishment Provisions for Central SOR amended accordingly.
7. Cross-regional aspects of the tasks related to the IT NORD – IT CNOR bidding zone border shall be executed in accordance with provisions of Articles 9 to 12 in coordination with the relevant Central RCC as necessary pursuant to Article 4(5)(e) of Annex I of the ACER SOR Decision.

Title IV

Cooperative processes

Article 9

Working Arrangements

1. In accordance with Article 38(a) and Article 39 of the Regulation 2019/943, the SEE RCC shall develop working arrangements to address planning and operational aspects for the performance of tasks pursuant to Article 8.
2. The arrangements pursuant to paragraph 1 shall be in line with the terms, conditions and methodologies applicable to the involved TSOs, including any relevant existing contractual framework (e.g. SLA) referring to the execution of each task and to the operation of the tools developed for the purpose, both on national and European level.
3. Arrangements pursuant to paragraph 1 shall be developed in cooperation with the involved TSOs and with involved RCCs, as the case may be for each individual task.
4. Arrangements pursuant to paragraph 1 shall ensure that:
 - a. the tasks regarding the BG-RO bidding zone border are executed by the SEE RCC in cooperation with Transelectrica in accordance with Article 4(5)(c)(i) of Annex I of the ACER SOR Decision;
 - b. the tasks which are relevant in the entire control area of Terna and that are delegated by Terna to the SEE RCC are executed in cooperation with Terna in accordance with Article 4(5)(e) of Annex I of the ACER SOR Decision.
5. When developing working arrangements pursuant to paragraph 1, the SEE RCC shall respect the following references for the tasks pursuant to Article 37 of the Regulation 2019/943:
 - a. arrangements for task pursuant to Article 37(1)(a) shall refer to the Capacity Calculation Methodology for Day-Ahead and Intraday in accordance with Articles 20 and 21 of CACM Regulation for SEE and GRIT CCRs;
 - b. arrangements for task pursuant to Article 37(1)(b) shall refer to:
 - i. the Methodology for Coordinating Operational Security Analysis in accordance with article 75 of SO Regulation;
 - ii. the Methodologies for Regional Operational Security Coordination in accordance with article 76 of SO Regulation for SEE and GRIT CCRs;
 - c. arrangements for task pursuant to Article 37(1)(c) shall refer to:
 - i. the Common Grid Model Methodology in accordance with article 17 or CACM GL (CGMM-v1-plus);
 - ii. the Common Grid Model Methodology in accordance with article 18 or FCA GL (CGMM-v2-plus); and
 - iii. the Common Grid Model Methodology version 3 in accordance with article 67(1) and 70(1) of SO Regulation (CGMM-v3); or

- iv. any document that supersedes one or more of the three versions of the Common Grid Model Methodology referred to above;
 - d. arrangements for task pursuant to Article 37(1)(d) shall refer to the consistency assessment of the system defence plan and the restoration plan in accordance with Article 6 of ER Regulation;
 - e. arrangements for task pursuant to Article 37(1)(e) shall refer to the Methodology for short-term and seasonal adequacy assessment in accordance with Article 8 of the Regulation 2019/941;
 - f. arrangements for task pursuant to Article 37(1)(f) shall refer to the Methodology for Assessing the relevance of assets for outage coordination in accordance with Articles 80 and 84 of SO Regulation;
 - g. arrangements for task pursuant to Article 37(1)(g) shall refer to the proposal developed by ENTSO-E;
 - h. arrangements for task pursuant to Article 37(1)(h), shall refer to the proposal to be developed by ENTSO-E and working arrangements shall be developed if the task is requested to the SEE RCC by the involved TSOs;
 - i. arrangements for task pursuant to Article 37(1)(i), shall refer to the proposal developed by ENTSO-E;
 - j. arrangements for task pursuant to Article 37(1)(j), shall refer to the proposal to be developed by ENTSO-E;
 - k. arrangements for task pursuant to Article 37(1)(k), shall refer to the proposal to be developed by ENTSO-E;
 - l. arrangements for the performance of task pursuant to Article 37(1)(l) for the settlement of redispatching and countertrading costs for the SEE CCR TSOs shall refer to the proposal to be developed by ENTSO-E;
 - m. arrangements for tasks pursuant to Article 37(1)(m) shall be developed in case of involvement of the RCC in the task performed by ENTSO-E in accordance with the methodologies developed pursuant to Article 6(1) of the Regulation 2019/941;
 - n. arrangements for tasks pursuant to Article 37(1)(n), shall be developed in case of involvement of the RCC in the task performed by ENTSO-E in accordance with the methodologies developed pursuant to Article 9(2) of the Regulation 2019/941;
 - o. arrangements for task pursuant to Article 37(1)(o), shall refer to the methodology for calculating the maximum entry capacity for cross-border participation in accordance with Article 26(11) of the Regulation 2019/943;
 - p. arrangements for task pursuant to Article 37(1)(p), shall refer to the proposal to be developed by ENTSO-E.
6. Additionally, in accordance with Article 4 of Annex I of ACER SOR Decision, arrangements for long-term capacity calculation shall refer to the methodologies developed pursuant to Article 10 of FCA Regulation for SEE CCR and GRIT CCR.

7. The SEE RCC shall ensure that the working arrangements contain rules for the notification of parties concerned.
8. For pan-European tasks carried out on a rotational basis by all RCCs, as agreed at ENTSO-E level and described in multilateral SLAs, the working arrangements shall determine for each task:
 - a. the rotation periods
 - b. the organization of the succession between two successive rotation periods
 - c. the communication of the status of each RCC, leading or back-up, to all the TSOs receiving the pan-European services from the SEE RCC, and to the RCCs established for other SORs.

Article 10

Process for revision of Working Arrangements

1. The SEE RCC shall follow the process below for the revision of working arrangements referred to in Article 9:
 - a. the SEE RCC shall submit a proposal to the SEE TSOs and, as relevant, to TSOs receiving tasks from the RCC. Dependent on each case, the SEE RCC may also submit the proposal to other affected RCCs and TSOs, including TSOs referred to in the Annex III to the ACER SOR Decision. The RCC shall share with the parties mentioned above the rationale of its proposal;
 - b. the proposal shall include a timeline for implementation;
 - c. within 3 months, the recipients of the proposal shall, in writing, approve, object or table an amendment to the proposal. Where an objection is raised, an explanatory response shall be provided setting out the reasons for the objection. Upon request from a Participating TSO the BoD of the SEE RCC can extend the response period;
 - d. the SEE RCC shall consider responses from all parties as set out in paragraph 1(a) and produce a proposal for endorsement by the BoD.

Article 11

Sharing analysis and consulting on RCC proposals

1. In accordance with Article 40 of the Regulation 2019/943, in its daily operational duties, the SEE RCC shall share the analysis and consult proposals with the Participating TSOs and other TSOs receiving tasks from the RCC in line with the arrangements listed in Article 9 and the requirements in Article 12
2. The coordination of the SEE RCC with the Central SOR RCC(s) and TSOs is ensured in line with cross-regional methodologies, terms and conditions, as provided in Article 8 and Article 9. Moreover:
 - a. on the BG-RO bidding zone border in line with Article 3(5)(d) and Article 4(5)(c)(ii) of Annex I of ACER SOR Decision an assessment is performed by Transelectrica to

- identify the cross-regional relevance of each task. When a task is identified as cross-regional relevant, working arrangements pursuant to Article 9 shall provide that such task is to be executed by the SEE RCC together with the competent Central SOR RCC in line with Article 4(5)(c)(ii) of Annex I of ACER SOR Decision, as necessary.;
- b. on the IT NORD – IT CNORD bidding zone border an assessment is performed by Terna to identify the aspects of cross-regional relevance of each task. When an aspect is identified as cross-regional relevant, working arrangements pursuant to Article 9 shall provide that it has to be coordinated by the SEE RCC together with the competent Central SOR RCC in line with Article 4(5)(d) of Annex I of ACER SOR Decision, as necessary.
3. The SEE RCC and involved TSOs interaction with NRAs or relevant stakeholders on issues relative to their day-to-day coordination shall be established in line with requirements described in SO, CACM, FCA, EB and ER Regulations, or other applicable methodologies listed in Article 9. Any problems or issues that may emerge in the coordination shall be included in the report to be prepared according to Article 46(4) of the Regulation 2019/943.
 4. Consultation with the RCCs established in other SORs or with the TSOs of other SORs shall precede the final adoption of coordinated actions or recommendations resulting from the process described in Article 12.
 5. When consulting with RCCs established in another SORs during day-to-day processes, the SEE RCC shall find solutions that:
 - a. do not violate operational security limits;
 - b. restore operational security limits, if relevant;
 - c. minimize costs.

Article 12

Procedure for the adoption and review of coordinated actions and recommendations

1. The procedure for the adoption and review of coordinated actions and recommendations for tasks referred to in points of Article 37(1) of the Regulation 2019/943 for SEE SOR shall be developed according to the respective existing methodologies and according to Article 42 of the Regulation 2019/943. In addition, the following provisions are considered:
 - a. For tasks referred to in points (a) and (b) of Article 37(1) of the Regulation 2019/943, for each CCR covered by the SEE SOR, before the SEE RCC issues coordinated actions, all TSOs shall confirm that the coordinated action proposed by the RCC are secure, reliable and efficient in accordance with:
 - i. Articles 35(5) and 42(2) of the Regulation 2019/943;
 - ii. Article 26 of CACM Regulation;
 - iii. Article 17 of the methodology for coordinating operational security analysis developed in accordance with Article 75 of SO Regulation;

- iv. the methodologies for capacity calculation developed for the CCR in accordance with Article 20 and 21 of the CACM regulation;
 - v. the methodology for regional operational security coordination developed for the CCR in accordance with Article 76 of SO Regulation
 - vi. the provisions of the Synchronous Area Framework Agreement for the Regional Group Continental Europe.
- b. Before the SEE RCC issues coordinated actions for one or more tasks referred to point (c) to (p) of Article 37(1) of the Regulation 2019/943 where they have been granted the competence in accordance with Article 42(6) of the Regulation 2019/943, all the affected TSOs shall confirm that the coordinated action proposed by the RCC are secure, reliable and efficient in accordance with Article 35(5) and Article 42(2) of the Regulation 2019/943.
 - c. Any coordinated action not confirmed by the affected TSO(s) according to the relevant methodology shall not be issued by the SEE RCC.
 - d. When one or more TSO trigger a review of coordinated actions or recommendations for any task carried out by the SEE RCC, they shall provide an explanation of the reason to the RCC and affected TSOs according to the relevant methodology, and if relevant they shall provide updated input to the RCC.
 - e. Each TSO of the SEE SOR and each other TSO receiving services by the SEE RCC on the tasks referred to in points (a) and (b) of Article 37(1) of the Regulation 2019/943 shall trigger a review of coordinated actions for any task carried out by the RCC if coordinated actions become unavailable. In that case, the SEE RCC shall modify the coordinated actions without delay to exclude the coordinated actions that became unavailable.
 - f. For any task carried out by the SEE RCC, all Participating TSOs, all other TSOs receiving services from the SEE RCC and the SEE RCC shall ensure that all relevant information is shared with the TSOs affected by that coordinated action or recommendation and RCC.

Title V

Liability

Article 13

Arrangements concerning liability of the RCC

- 1. The SEE RCC may be held liable for losses suffered by the Serviced TSOs (whether they are shareholders or not), other RCCs or third parties in relation to the execution of the RCC's tasks under Article 37(1) of the Regulation 2019/943.
 - a. Liability of the SEE RCC towards Serviced TSOs and other RCCs:

The SEE RCC shall conclude SLAs with all Serviced TSOs (whether they are shareholders or not) and/or other RCCs specifying the tasks to be executed by the RCC under Article 37(1) of the Regulation 2019/943. The SEE RCC shall be held liable towards the Serviced TSOs and/or other RCCs in the event of mal-performance or non-performance of these tasks leading to a Serviced TSO or other RCC's damage imputable to the RCC's mal-performance or non-performance. The SLAs shall also govern and set out rules for the SEE RCC's liability towards the Serviced TSOs and/or other RCCs, including but not limited to potential exclusions or limitations of liability, taking into account restrictions of the applicable national law governing the Agreements as per their relevant terms. The legal basis for any liability claim of a Participating TSO or other RCC towards the SEE RCC shall be the relevant SLA and the applicable national law governing the agreement as per its relevant terms. With regards to liability towards TSOs there is no need to distinguish whether the TSO claiming damages towards the SEE RCC is a shareholder or not.

b. Liability of the SEE RCC towards third parties:

Notwithstanding the fact that third parties are not addressees of the tasks executed by the SEE RCC under Article 37(1) of the Regulation 2019/943, and related services are provided from the RCC to the Serviced TSOs (the direct addressees of the RCC's tasks), the SEE RCC's mal-performance or non-performance of such tasks may potentially under specific circumstances lead to liability of the RCC towards third parties. Since there is no contractual relationship between the SEE RCC and said third parties, the legal basis for any liability claim of a third party against the SEE RCC shall be the applicable national tort law. In this case, the specific liability regime would depend on the applicable national law (under conflict of laws rules), determined by either the seat of the RCC (Greek law) or the location where the damage occurs. In any case, from a legal perspective, it is not possible to limit liability towards third parties based on tort law.

To that end, the SLA between the SEE RCC and the Participating TSOs shall set out rules for handling potential third party claims raised against the TSOs due to the SEE RCC's mal-performance or non-performance of its tasks as well as allocation of liability between the SEE RCC and the Participating TSOs, where actions of the TSO have concurred to the damages of the third party.

2. The SEE RCC has the legal form of a "Societe Anonyme", i.e. a limited liability company, incorporated under the Greek law, the Company is liable against third parties with its entire corporate asset while its shareholders are exposed to risk up to the amount of their contribution in the Company's share capital. However, pursuant to Article 45 of the Regulation 2019/943, the SEE RCC shall be equipped with all financial resources necessary for fulfilling its obligations under the Regulation 2019/943. On this basis, the financial arrangements described in Article 6 of this Proposal shall ensure that SEE RCC will be able to satisfy any claims as they become due. Additionally, Serviced TSOs undertake to protect RCC from abusive claims, to the extent reasonably and legally possible.
3. Taking into account the estimation of the SEE RCC's risk exposure, Serviced TSOs undertake to cover the SEE RCC's liability related to the execution of RCC's tasks under Article 37(1) of the Regulation 2019/943, by implementing one or more the following means, as deemed appropriate from time to time:

- a. Limitation of the SEE RCC's liability in relation to the SLAs with the Serviced TSOs and/or other RCCs. The terms for limitation of liability will be agreed in such Service Level Agreements.
- b. Insurance coverage, to the extent commercially available and reasonable, covering both the SEE RCC liability in relation to SLAs concluded with the Serviced TSOs and/or other RCCs and the SEE RCC liability towards third parties.

Title VI

Pan-European rotation of tasks

Article 14

Pan-European rotation for CGM process

1. The SEE RCCs will carry out the building of CGM in a pan-European process on the basis of a pan-European rotation principle agreed at ENTSO-E level. The principles of this pan-European rotation for building of CGM are the following:
 - a) at least two RCCs shall participate to the CGM pan-European building process.
 - b) the organizational model related to participation to the CGM building process by the RCCs shall be based on a rotational principle on an agreed calendar date, with regular building and provision of a CGM by one main RCC and one backup RCC at all times.
 - c) each RCC shall check the quality of the IGMs, according to Article 79.1 of the SO Regulation and to the relevant provisions included in the CACM Regulation and in the FCA regulation.
 - d) at least two merged CGMs will always be created in parallel for each scenario/timeframe/timestamp, one by the main RCC and one by the backup RCC.
 - e) during the regular process only one merged CGM, delivered from the main RCC, shall be officially marked as CGM. In case, the main RCC cannot perform the function, the merged CGM delivered from the backup RCC shall be officially marked as CGM.
 - f) all relevant official tasks according to Article 37.1 of the Regulation 2019/943 (both pan-European and regional) shall use as input the merged CGM officially marked as CGM.

Article 15

Pan-European rotation for OPC process

1. The SEE RCC will carry out outage planning coordination in a pan-European process on the basis of a pan-European rotation principle agreed at ENTSO-E level. The principles of this pan-European rotation for OPC are the following:
 - a) at least two RCCs shall participate to the OPC pan-European process.

- b) the organizational model related to participation to the OPC pan-European process by the RCCs shall be based on a rotational principle on an agreed calendar date, with yearly and weekly merge of individual outage planning provided by TSOs by one main RCC and one backup RCC. The main RCC shall check the quality of the merge of individual outage planning provided by TSOs.
- c) the organizational model related to participation to the Relevant Asset Coordination process by the RCCs shall be based on a rotational principle on an agreed calendar date annexed to OPC rulebook, with identification and publication of the final list of Relevant Assets for Coordination by one main RCC and one backup RCC.
- d) in case the main RCC cannot perform the function, then this role will be substituted by backup RCC.

Article 16

Pan-European rotation for STA process

1. The SEE RCC will carry out week ahead to at least day-ahead system adequacy forecasts and preparation of risk reducing actions in a pan-European process on the basis of a pan-European rotation principle agreed at ENTSO-E level. The principles of this pan-European STA rotation are the following:
 - a) at least two RCCs shall participate to the STA pan-European process.
 - b) the organizational model related to participation to the STA pan-European process by the RCCs shall be based on a rotational principle on an agreed calendar date, with a cross-regional adequacy assessment performed by one main RCC and one backup RCC to highlight at ENTSO-E level the situations where a lack of adequacy is expected. In case of lack of adequacy or if requested by a TSO, the main RCC inform the relevant regional RCC to trigger the regional process.
 - c) in case main RCC cannot perform the function, then this role will be substituted by backup RCC.

Title VII

Language

Article 17

Language

1. The reference language for these SEE RCC Establishment Provisions shall be English. For the avoidance of doubt, where TSOs need to translate this document into their national language(s), in the event of inconsistencies between the English version and any version in another language the relevant TSOs shall, in accordance with national legislation, provide the relevant national regulatory authorities with an updated translation of these provisions.

Annexes

Annex I: Articles of Association of SEleNe CC