

Response to the proposed amendments of the mFRR and aFRR Implementation Frameworks by all TSOs

Brussels, 02 September 2025

Key messages

- We support harmonising Balancing Service Provider Terms and Conditions for aFRR and mFRR amidst pan-European balancing platform development.
- Technical and operational considerations are to be reflected in the T&Cs. It is just as important to have harmonisation of commercially relevant parts of the T&Cs (such as imbalance settlement and BSP remuneration).

Detailed comments

4. Any views on the proposed amendments to the aFRRIF and mFRRIF are welcomed

We welcome the changes brought by All TSOs to the implementation frameworks and the introduction of a common harmonisation proposal. However, several issues remain, which are addressed in more detail in the respective sections below.

In particular, we are concerned about the incomplete harmonisation of prequalification processes, the absence of provisions that would enable a genuine level playing field between assets from different countries, and the inclusion of an ex-post verification mechanism without any indication of what it would look like.

Furthermore, we reiterate our suggestion to include crucial elements, like imbalance settlement and Balance Service Provider (BSP) remuneration, in the next survey or consultation. Market distortions caused by the lack of harmonisation in these fields are at least as significant as distortions arising from differences in the technical and organisational aspects of the Terms and Conditions (T&Cs).

CONSULTATION RESPONSE



The current approach of annual harmonisation assessment may indeed prove too frequent, considering the subsequent process to define a harmonisation proposal based on the assessment. However, the proposed cycle of assessments every 3 years is too infrequent in light of the quickly evolving technological and market landscape, as well as the ongoing European integration. We therefore propose an assessment every 2 years, allowing the year between assessments for the harmonisation proposal based on the assessments.

5. Any views on Article 3 and Article 4 focusing on the English language provisions of the Common Harmonisation Proposal are welcomed

We welcome the English language provisions in Articles 3 and 4. We previously encouraged timely publications for updated English translations of national Terms and Conditions. We hope to see such regular updates implemented in line with changes to the Terms and Conditions. We also fully understand the legal precedence of the national language version of the T&Cs over the English translations and appreciate facilitating BSPs' access to national markets through the translated version.

6. Any views on Article 5 and Article 6 on FRR prequalification of the Common Harmonisation Proposal are welcomed

We support full harmonisation of FRR prequalification processes. Should there be divergences among TSOs at national-level implementation requirements and standards, or technical prerequisites, these should not be downgraded.

It is commendable that the timelines within the prequalification process are clearly defined, as this provides transparency and clarity for all stakeholders. Accelerating timelines would be beneficial in facilitating quicker market entry for new providers.

Complete harmonisation of regulations and processes for prequalification must be the ultimate goal. High-level harmonisation is a crucial and unavoidable intermediate step to achieving this.

CONSULTATION RESPONSE



Given the general trend toward FRR being provided by an increasing number of smaller Reserve Providing Units (RPUs), we doubt that this process can be managed by BSPs and TSOs without additional simplifications.

Regarding the speed of timelines, the current proposal regarding the harmonisation of the prequalification process appears to be setting the standard at the lowest common denominator. A prequalification process of up to 9 months is extremely long.

Especially in a context of new, flexible assets coming online, this would prove to be costly as FRR services can be a significant source of revenues for such assets. Having to wait 5 months – or even up to 9 months – before being able to provide these services would have a significant financial impact.

We therefore request enabling individual TSOs to set – or keep – shorter prequalification timelines as well as to consider more ambitious timelines, if necessary, with some transitory periods for TSOs to streamline their current practices if necessary.

Additionally, we regret that the current TSOs proposal only focuses on harmonising FRR prequalification procedures without harmonising technical requirements to ensure fair competition among BSPs across Europe.

These differences may reduce the consistency of balancing energy products and jeopardize the level playing field for all market participants.

Since pay-as-clear remuneration is used, maintaining equal standards is crucial. Therefore, we recommend conducting a comparative analysis of prequalification and verification practices across Europe, with the goal of developing a roadmap for further technical harmonisation and consistent asset requirements.

We reiterate the priorities previously identified for FRR prequalification harmonisation: monitoring, communication requirements, general asset requirements, including those

applicable during ramp-up and ramp-down phases, tolerance bands, penalties, and back up requirements.

7. Any views on Article 7 on switching of RPU/RPGs between BSPs of the Common Harmonisation Proposal are welcomed

We believe that the principle whereby “BSP/pool prequalification applies to the entire LFC block” should be treated as a key priority. Nevertheless, we view the possibility of switching units between different BSPs while retaining their prequalification status as a positive development.

However, we believe that transferring the prequalification status of an RPU/RPG should be regarded as a complete transfer of the asset, without any changes to its technical or functional scope. We therefore suggest that this condition be explicitly added as a fifth requirement in Article 7.

The simplified process that is envisaged when transferring an existing pre-qualification to another BSP that has operational experience with this asset type should also be applicable for first-time pre-qualifications by a BSP with equivalent experience with the respective asset type.

Application of an easier prequalification for similar assets should be in the largest region with identical prequalification requirements.

We identified two areas needing clarification. On the one hand, articles 7, 8, and 9 provide for the possibility of ex-post verification. We see this as problematic, as real-world dispatch can be highly complex. It is therefore unclear which criteria an ex-post verification would need to fulfil.

As these aspects are not addressed in the current text, we are unable to assess the applicability of such a mechanism. At this stage, it is not clear what an ex-post verification process would entail. In our view, these elements must be clearly defined.

If verification conditions vary significantly between Member States, this would undermine the level playing field. Comparable requirements should apply across all countries. The approach should be harmonised accordingly to ensure fairness for all market participants.

CONSULTATION RESPONSE

On the other hand, we would like to point out that the process and timeline described in paragraph 2 are insufficiently precise and clear:

- It is unclear how and when the BSP has to inform the TSO of the switch, including information on the fulfilment of the conditions of paragraph 1.
- It is unclear what the 6-weeks period mentioned in paragraph 2 refers to, nor what the trigger is that would start this period.
- It is unclear when the TSO should decide whether or not a prequalification process is necessary, and within what period this should be done.

We therefore ask to better define the process, however, keeping it overall as agile as possible and based on ex-post verification whenever possible, to ensure no unnecessary barriers.

8. Any views on Article 8 and Article 9 on re-prequalification of the Common Harmonisation Proposal are welcomed

We have no other immediate concerns regarding the provisions set out in these articles, apart from the points raised in the question above concerning ex-post verification in Articles 7, 8, and 9.

Once there is a prequalification, this should be preserved in duration as much as possible unless the technical characteristics of the assets change.

We recommended technical tests or verifications to be mandatory for re-prequalification when relevant requirements or the equipment have been subject to significant changes, thus aligned with Article 9.

9. Any views on Article 11 on data exchange standards of the Common Harmonisation Proposal are welcomed

Harmonisation should be the target. The implementation timeline should be achieved in a timely manner.

CONSULTATION RESPONSE



Nonetheless, we emphasise the importance of:

- Allowing TSOs to continue using established national standards for proven processes, in order to avoid unnecessary costs and disruptions.
- Applying new European data exchange standards only to new IT protocols, with prior stakeholder consultation—at minimum in the national language—before implementation.
- Maintaining close collaboration between TSOs and BSPs during protocol development to ensure that technical requirements are tailored to BSPs' operational needs.

10. Any other views on the Common Harmonisation Proposal are welcomed

We reiterate our suggestion to include crucial elements, such as imbalance settlement and BSP remuneration, in the next harmonisation round of BSP T&Cs. Market distortions caused by a lack of harmonisation in these fields are at least as significant as distortions arising from differences in the technical and organisational aspects of the T&Cs.

Some additional critical areas for harmonisation include IT, metering and backup requirements, baselining and activation control, general asset requirements including those applicable during ramp-up and ramp-down phases, settlement and penalty regimes, TSO system interfaces, FRR activation methods, and licensing.

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