

Public Consultation of RAE on the proposal of HEX S.A. regarding the amendment of the Operating Regulations of the Day Ahead and Intraday Market and on the proposal of ADMIE S.A. regarding the amendment of the Balancing Market Regulation

Sympower is a pan-European aggregator, operating in 6 countries, including Greece. We welcome the opportunity to contribute to RAE's consultation on the proposal of HEX S.A. regarding the amendment of the Operating Regulations of the Day Ahead and Intraday Market and on the proposal of ADMIE S.A. regarding the amendment of the Balancing Market Regulation. In particular, we are pleased to see that HEX's proposal introduces the possibility for aggregators of demand response to participate in the wholesale market, as foreseen by the EU Directive 2019/944.

We would like to comment and ask for clarifications on the following parts of the proposals:

1) Operation of Day ahead Market & Intraday Market

- We would like to have a more extensive definition and examples of "Portfolio of Distributed Load in testing mode or to Trial operation". Could you explain what is the distinction between a portfolio of distributed loads in normal operation and a portfolio of distributed loads in testing mode?
- In Article 3.2 RES and CHP producers are classified as participants, alongside demand response aggregators. Does this mean that CHP units cannot be included in aggregated load portfolios? What are the licensing obligations for CHP producers?
- We understand that each participant has to appoint a certified trader in order to participate in the Day-ahead and Intra-day markets. Does the demand response aggregator have to become itself a trader or BRP in order to participate?
- We would benefit from a more extensive explanation of the meaning of "physical delivery and withdrawal programme" for distributed load portfolios.

## 2) Amendments to the Balancing Markets regulations

- Regarding Article 59, chapter 4c. Recitals xvi. and xvii. , we would need a clarification on the means of non-zero market program or non-zero production/consumption program leading to exclusion if awarding aFRR balancing power. By our understanding, these provisions intend to exclude simultaneous participation of demand response aggregators in both balancing with aFRR and wholesale markets . They also exclude their simultaneous participation in aFRR and mFRR. We regret that these provisions would constitute a fundamental barrier for demand response aggregators and would infringe the principles of EU Directive 2019/944 that intend to open all electricity markets to the demand-side. The benefits that demand response aggregators bring to the system are truly exploited only if participation is granted in all electricity markets, according to the technical capabilities of the resources they control. Therefore, we respectfully suggest revising the proposed amendments.