

Svk derogation request 2022: ACER's decision

- ACER provided the decision on the SvK request for derogation from the '70% requirement' on the borders of **FI-SE3** and **SE3-DK1** areas, for 2022
 - related to the **East-West flow** congestions
 - being disputed among Ei and DUR&EV
- The BoR unanimously approved the decision on 24 October

- **ACER concluded that the derogation should not be granted:**
 - **ACER's assessment does not confirm the necessity of the derogation:**
 - most of the time observed the MACZT value was above 70%
 - in the remaining period it could be provided by the additional RDCT (insufficient efforts to apply it)
 - **No minimum capacity target defined**
 - **Avoiding discrimination between internal and cross-zonal exchanges not sufficiently explained**

- ACER further noted:
 - Bidding zone borders internal to a Member State are bound to the 70% requirement as well
 - Derogated periods can have total duration >2 years, if relevant conditions of ER 16(9) fulfilled
 - Data transparency by SvK to be improved
 - ASAP application of ROSC and RDCT cost sharing in the Nordics highly desired

