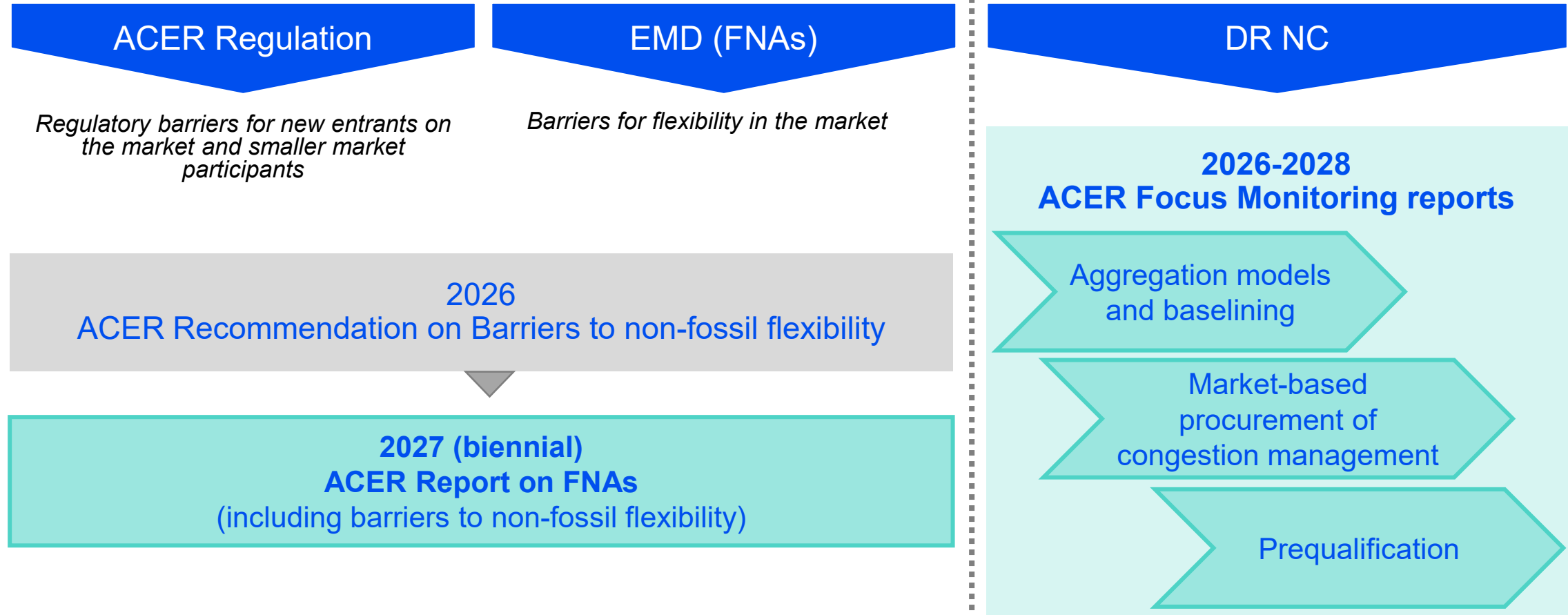


3.1 ACER implementation monitoring activities on demand response and barriers to non-fossil flexibility

DRESG

22 April 2026

ACER Monitoring work on Demand response and Barriers to non-fossil flexibility



2026 ACER Recommendation on barriers to non-fossil flexibility

2027 ACER report on FNAs

Why this ACER Recommendation?

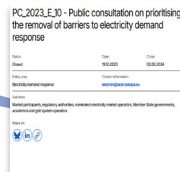
ACER monitoring/reporting mandates related to flexibility

ACER Regulation

- Monitor **regulatory barriers** for new entrants on the market and smaller market participants
 - An **annual** ACER monitoring report

EMD (FNAs)

- Analyse **national FNA reports** and provide **recommendations** on removing **barriers** to the entry of **non-fossil flexibility** resources
 - A **biennial** ACER report



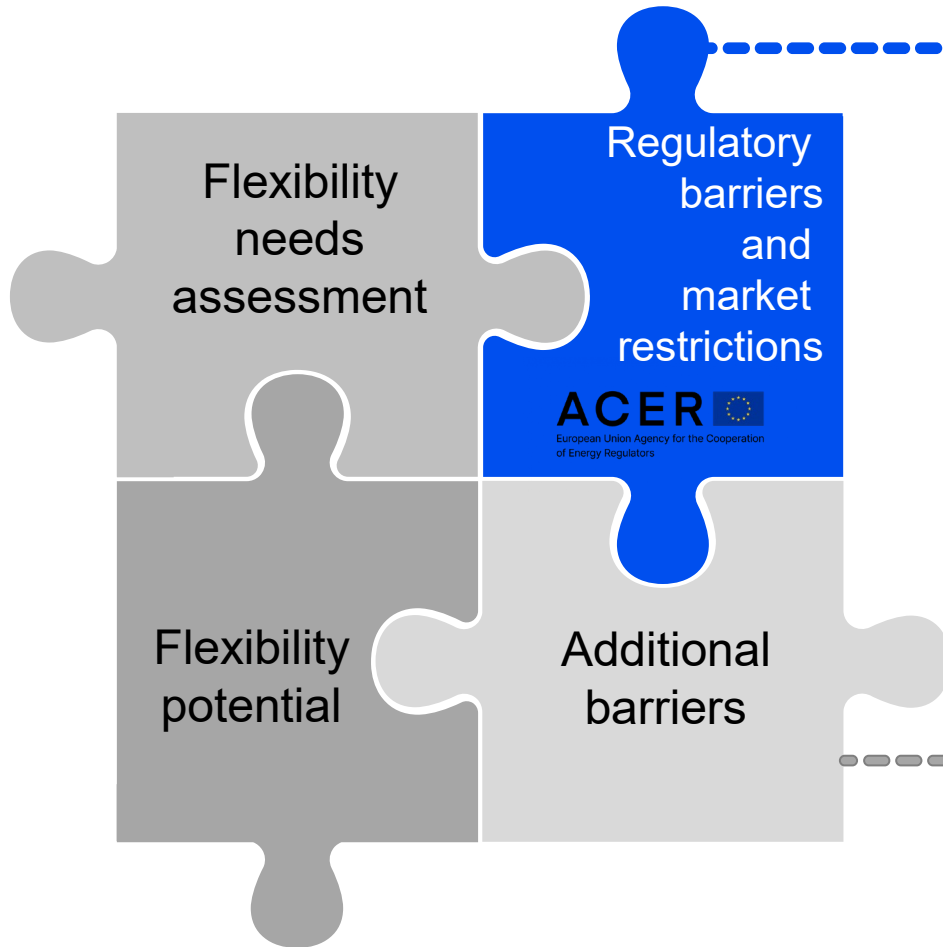
Article 15. Market barriers and contribution of digitalisation

For the purpose of evaluating the barriers for flexibility in the market and the contribution of digitalisation in the FNA report pursuant to Article 19e(2), points (c) and (d) of the Electricity Regulation, the TSO(s) and/or DSOs shall provide, where relevant, data for the following categories:

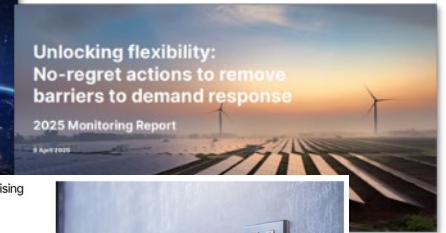
- Lack of proper legal framework for market access to new entrants and small actors
- Lack of enablers and incentives to provide flexibility
- Restrictive requirements to provide balancing services
- Restrictive requirements to provide congestion management
- Complex, lengthy, and discriminatory administrative requirements
- Lack of regulatory incentives to system operators to consider non-wire alternatives.

**One ACER report to fulfill both mandates
Ideally supported entirely by national FNA reports**

Guidance on one piece of the puzzle...



2026 ACER recommendation on barriers to non-fossil flexibility aims to provide NRAs/other designated authorities with **guidance** on some barriers based on previous ACER monitoring work and input collected from the stakeholders...



PC_2023_E_10 - Public consultation on prioritising the removal of barriers to electricity demand response

Date	Open	Close
Created	18.12.2023	09.03.2024
Policy area	Contact information	
Flexibility demand response	energy@acer.europa.eu	
Audience		
Market participants, regulatory authorities, non-fossil electricity market operators, Member State governments, academia and grid system operators		
Share on:		
		



... but in the FNAs, the NRAs/other designated entities should also report on:

- 1) additional relevant barriers...
- 2) Other aspects under each barrier identified in the ACER recommendation that represent obstacles...

...to non-fossil flexibility in their Member State

2 pathways to implement ACER recommendation

*Most efficient
approach*

Barriers

- Lack of proper **legal framework** for market access
- Lack of **enablers and incentives** to provide flexibility
- Restrictive requirements to provide **balancing services**
- Restrictive requirements to provide **congestion management**
- Complex, lengthy, and discriminatory **administrative requirements**
 - Lack of incentives to SOs to consider **non-wire alternatives**
 - **Network tariff** related aspects

Indicators and evaluation aspects

FNAs reports including barriers and indicators in line with the ACER recommendation

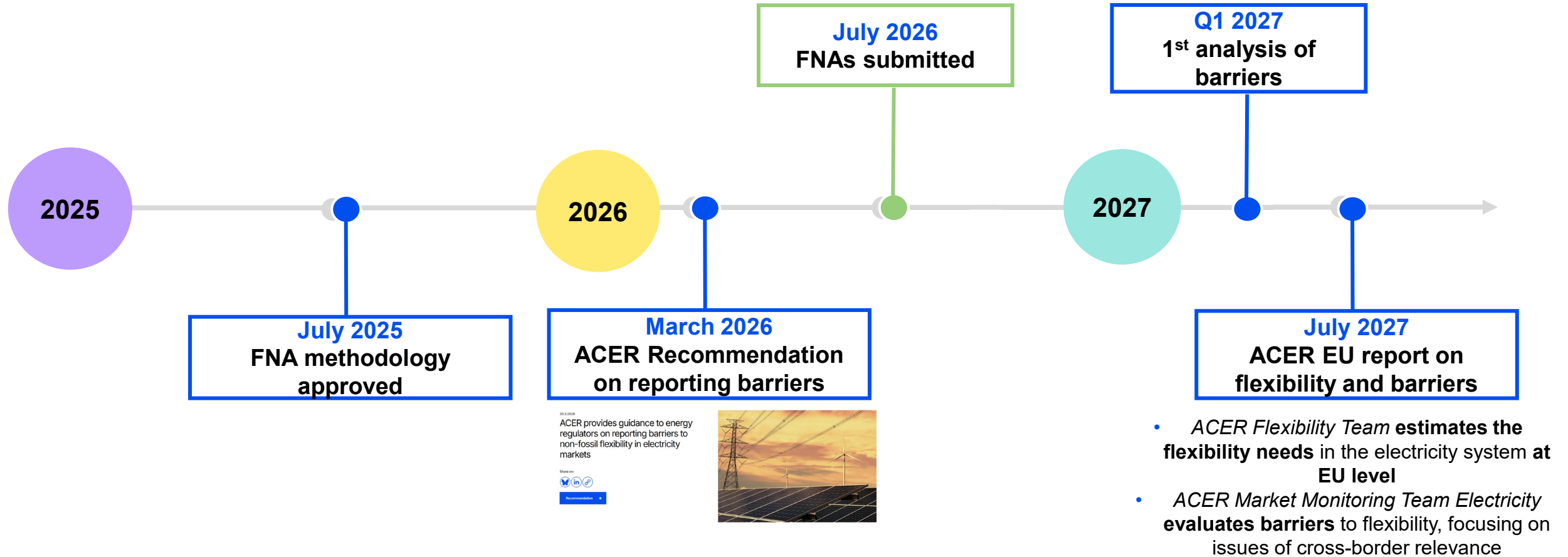
ACER recommends NRAs* to **consider** an evaluation of the proposed relevant **barriers, indicators and aspects** in the **FNA reports**

OR

Separate process for this reporting

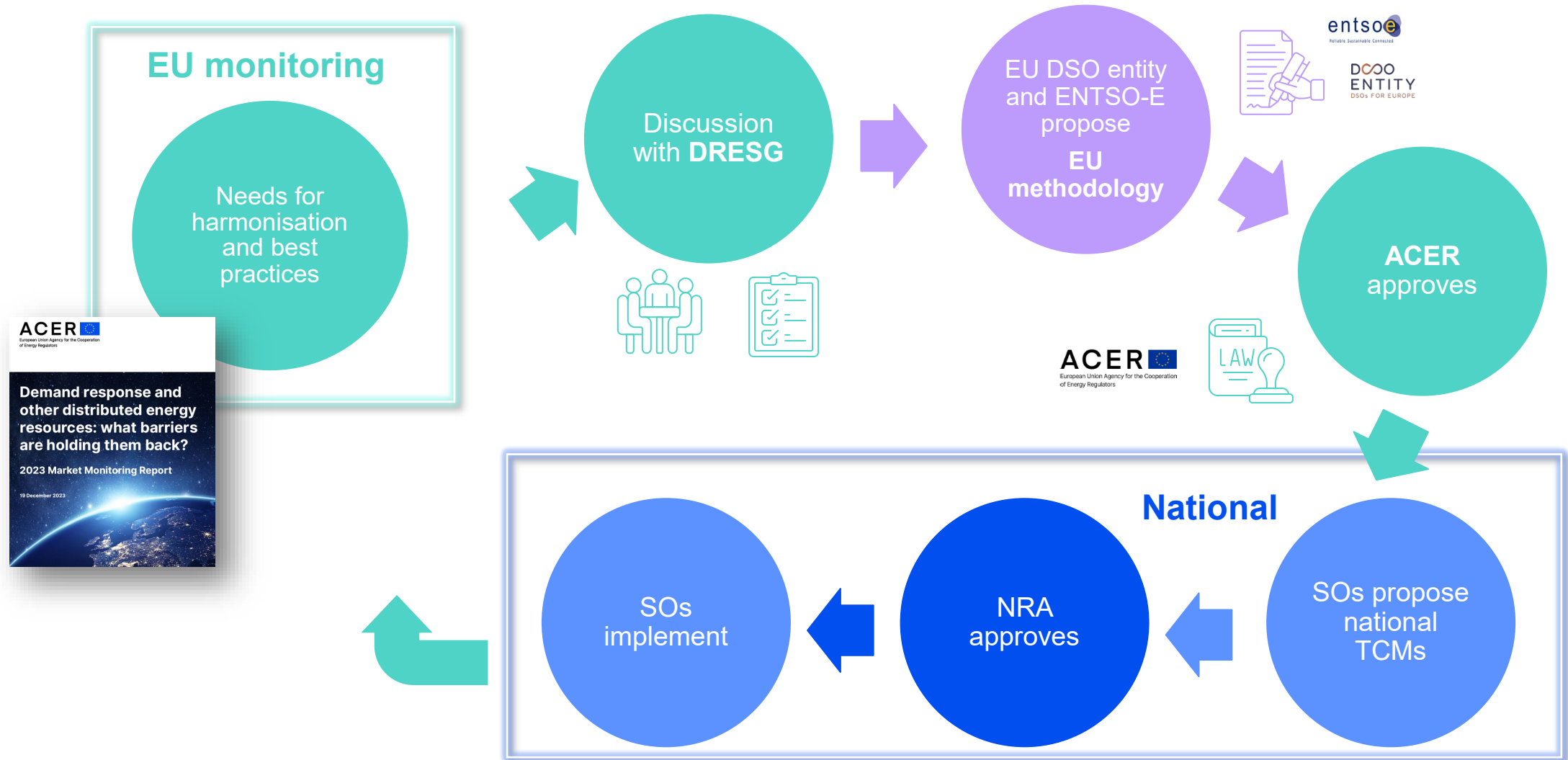
NRAs to provide information through a separate process to meet the legal requirements of the ACER's flexibility report and monitoring obligations

* where appropriate in coordination with other relevant national authorities and entities

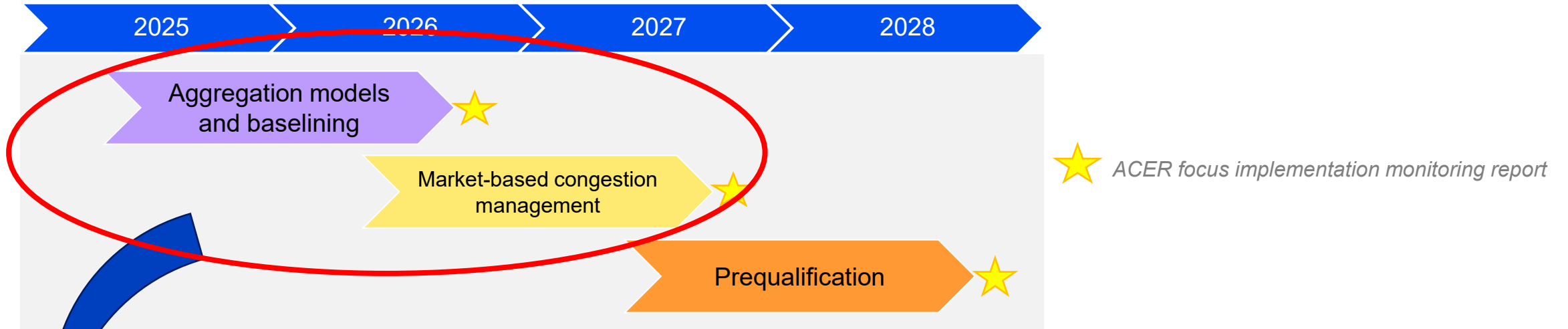


2026 ACER Focus monitoring reports

Implementation monitoring before further EU harmonisation



*Purple bubbles will apply when the DR NC enters into force.
 DRESG: Demand Response European Stakeholders Group; TCM: Terms and Conditions or Methodologies; SO: system operator; NRA: National Regulatory Authority*



Next DRESG agenda items

4. Aggregation models monitoring		
4.1 Aggregation models – preliminary results and potential recommendations	Slides	11:45-13:00
Lunch break 1 hour – 13:00-14:00		
4. Aggregation models monitoring		
4.2 Baselining methods – preliminary results and potential recommendations	Slides	14:00-15:15
5. Monitoring of market-based procurement of congestion management		
5.1 Discussion on potential sub-topics	Slides ACER (and intervention by Energy Traders Europe)	15:15-15:55

Thank you. Any questions?

The contents of this document do not necessarily reflect the position or opinion of the Agency.



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