

Second TCDA Amendment – Annex 3: Adapted Appendix A to the TCDA -
Definition List
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Appendix A to the TCDA - Definitions

Capitalised Term	Definition
4MMC	means the day-ahead electricity market organised by 4MMC parties based on implicit cross-border capacity allocation on Czech-Slovak-Hungarian-Romanian borders operating on the basis of ATC day-ahead implicit allocation process;
4MMC Operational TSOs	means CEPS, MAVIR, SEPS and Transelectrica;
Accession Form	means the form in Appendix C;
ACER	means the Agency for the Cooperation of Energy Regulators established as per European Regulation 713/2009 of 13 July 2009;
Affected TSO	has the meaning set forth in Article 13.2.1.;
Agreement (or TCDA)	means the TSO Cooperation Agreement for Single Day-Ahead Coupling, including all the Appendices thereto, as amended from time to time;
Amicable Dispute Resolution Period	has the meaning set forth in Article 16.2.1.;
ANDOA	means the All NEMOs Day-Ahead Operational Agreement between the NEMOs, setting forth the terms of their cooperation for the MCO Function for the Single Day-Ahead Coupling;
Appendix	means any document attached as an appendix to the Agreement;
Article	means an article of the main body of the Agreement, unless specifically mentioned otherwise;
Best Efforts	means the obligation for a Party, in the performance of its commitments under the Agreement, to take all reasonable actions and measures and more generally doing everything that can reasonably be expected from a normal, diligent and reasonable professional placed in the same circumstances;
Breaching TSO	has the meaning set forth in Article 13.2.1.;
CACM	means the Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a guideline on capacity allocation and congestion management, as amended from time to time;
Calendar Quarter	means one of the four quarters of a calendar year, i.e. from January to March, April to June, July to September and October to December;

Central Settlement Entity	means the entity described in Appendix E;
Cooperation	has the meaning set forth in recital E;
DAOA	means the Single Day-Ahead Operations Agreement between the NEMOs and TSOs, setting forth their rights and obligations in respect of the implementation of CACM with respect to the Single Day-Ahead Coupling that requires the cooperation of TSOs and NEMOs at European level, including the common operation and further development of the Single Day-Ahead Coupling;
Data Protection Legislation	means the GDPR and all other relevant national and European laws and regulations concerning data protection;
Due Date	has the meaning set forth in Section 2.1, 2 of Appendix E;
Enduring Phase	Has the meaning set forth in article 1.2 of the DAOA;
ENTSO-E	means the European Network of Transmission System Operators for Electricity;
European Code of Conduct for Mediators	means the Code of Conduct for Mediators as set up by the European Commission;
Exit	means the event in which a Party terminates on its own initiative its participation to the Agreement or the event in which the concerned Party is excluded from the participation to the Agreement, in accordance with Article 9;
Exit Date	means the date the Exit becomes effective;
Exit Plan	has the meaning set forth in Article 9.3.3.;
Exiting Party	means a Party that terminates on its own initiative its participation to the Agreement or the event in which the concerned Party is excluded from the participation to the Agreement, in accordance with Article 9;
First TCDA Amendment	means the agreement between the Parties whereby a first set of amendments has been added to the Agreement;
GDPR	means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC, as amended from time;
GDPR SPOC	shall have the meaning set forth in <u>Article 18.3.2</u> ;
Global NDA	means the “Single DA and ID Coupling Observership and Non-Disclosure Agreement” to which the Parties

	are party and which entered into force on 23 February 2016;
Governance and Development Decisions	has the meaning set forth in Article 4.5.2
ICC	means the International Chamber of Commerce;
IDOA	means the Intraday Operations Agreement entered into between the TSOs and the NEMOs for the SIDC, as amended from time to time
Intellectual Property Right or “IPR”	means any intellectual property right or other (property) right throughout the world, in all media, now existing or created in the future, for all versions and elements, in all languages, and for the entire duration of such rights, arising under applicable law, contract, or otherwise, and whether or not registered, registrable or perfected, including (a) rights in all inventions, discoveries, utility models, patents, reissues of and re-examined patents, or patent applications (wherever filed and wherever issued, including continuations, continuations-in-part, substitutes, and divisions of such applications and all priority rights resulting from such applications) now existing or hereafter filed, issued or acquired; (b) rights associated with works of authorship, including database rights, copyrights, moral rights, copyright applications, copyright registrations, synchronization rights, mask work rights, applications and registrations; (c) rights in computer software and programs, source codes, or business methods; (d) rights in materials; (e) rights associated with trade marks, service marks, trade names, internet domain names, business names, logos, trade dress and the applications for registration and the registrations thereof; (f) rights relating to the protection of trade secrets, know-how and/or other Confidential Information; (g) design rights, whether registered or unregistered; and (h) rights analogous to those in this definition and any and all other proprietary rights relating to intangible property;
Interim Phase	Has the meaning set forth in article 1.2 of the DAOA;
JAO	means Joint Allocation Office S.A., a public limited company (société anonyme) incorporated under the laws of Luxembourg, having its registered office at rue de Bitbourg 2, 1273 Luxembourg-Hamm, Luxembourg, registered with Luxembourg Trade and Companies register under number B142 282;
Joint Governance	has the meaning set forth in Whereas G.;

Joint Matters	means any topic and/or issue that falls within the scope of both the SIDC and the SDAC;
Legal Provision	means any applicable mandatory (including public policy) legislation or regulation or any mandatory decision of a competent authority, including the terms, conditions and methodologies as required under such legislation or regulation;
Member State	has the meaning set forth in Article 4.6.3;
Monthly Report	has the meaning set forth in Section 1.4., 10. of Appendix E;
MRC	means the day-ahead electricity market organised by MRC parties;
MRC DAOA	has the meaning set forth in Recital B;
MRC Operational TSOs	means, for the purpose of Appendix E, the TSOs who had signed or adhered to the MRC DAOA;
NEMO	means the nominated electricity market operator, as defined in article 2, 23 of CACM;
Non-Operational Parties	means a Party for which Go-Live has not yet taken place pursuant to DAOA;
NRAs	means the respective national regulatory authorities designated at national level on the basis of article 35 of Directive 2009/72/EC of the European Parliament and the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC or, in case of a country for which this directive does not apply, the national regulatory authorities designated at national level by similar legal provisions;
Observer	means a TSO that is not a Party to the Agreement and may be granted certain rights as mentioned in Article 11;
Operational Parties	means the Parties for which Go-Live has taken place pursuant to DAOA;
Party	means any entity having signed or acceded to the Agreement, as identified on the identification pages or in an adherence agreement;
Personal Data	means any information qualified as personal data pursuant to article 4(1) of GDPR;
QMV	has the meaning set forth in recital H.;
Quarterly Account	has the meaning set forth in Section 1.6., 2. c) of Appendix E;

Quarterly Report	has the meaning set forth in Section 1.4., 12. of Appendix E;
RIO	means Rules of Internal Order attached as Appendix D;
SDAC TSOs-Only Common Costs	has the meaning set forth in Appendix E;
Second TCDA Amendment	means the agreement between the Parties whereby a second set of amendments has been added to the Agreement;
Section	means a section of Appendix E;
Service Level Agreements or "SLAs"	has the meaning set forth in Article 5.2;
Single Day-Ahead Coupling or "SDAC"	has the meaning set forth in article 2 number 26 of CACM;
Single Intraday Coupling or "SIDC"	shall have the meaning set forth in article 2, 27 of CACM;
TCID	has the meaning as set forth in recital G.;
TSO	means a transmission system operator having signed or adhered to the Agreement, as identified on the identification pages;
TSO Budget Management Task Force or "TSO BMTF"	means the body assigned by TSO JSC to execute the tasks described in Appendix E;
TSO High Level Meeting or "TSO HLM"	has the meaning set forth in Article 4.1.1.;
TSO Market Coupling Steering Committee or "TSO MCSC"	means the steering committee as referred to in Article 4;
TSO JSC Secretary	has the meaning set forth in Section II of the Appendix D;
TSOs Regional Costs	has the meaning set forth in Appendix E;
TSO Vote	has the meaning set forth in Article 4.2.1.i);
Voting Member	means the Party that in accordance with Article 4.5. is entitled to vote on the concerned decision;
Working Day	means any day other than a Saturday and a Sunday in which banks are open to the public for general business in the country or city of the Party that needs to perform the obligation, except if provided otherwise.