

First Amendment to the Single Day-Ahead Coupling Operations Agreement
(DAOA) – Annex 4 : Adapted Annex 4 to the DAOA - Rules of Internal Order
(RIO)
Confidential

**Annex 4 to the First Amendment to the Single Day-Ahead Coupling
Operations Agreement:**

Adapted Annex 4 to the DAOA - Rules of Internal Order (RIO)

Annex 4 DAOA - Rules of Internal Order (RIO)

Table of content:

- I. General 3
- II. RIO for MCSC 3
 - 1. Composition of the MCSC 3
 - 1.1. Representatives 3
 - 1.2. Chair 4
 - 1.3. MCSC Secretary 4
 - 2. MCSC meetings 5
 - 3. Decision-making rules within the MCSC 7
 - 3.1. Quorum 7
 - 3.1.1. Specific quorum for corresponding pre-aligned NEMO Vote and TSO Vote 7
 - 3.1.2. General quorum for all other types of decisions 7
 - 3.2. General voting principles 8
 - 3.3. Pre-alignment of NEMOs’ and TSOs’ positions 8
 - 3.4. Corresponding NEMO Vote and TSO Vote 8
 - 3.5. Diverging NEMO Vote and TSO Vote / Unexpected items / Urgent Matters 9
 - 3.5.1. Diverging NEMO Vote and TSO Vote 9
 - 3.5.2. Unexpected items / Urgent matters 9
 - 4. Recording of MCSC decisions10
 - 4.1. Normal procedure10
 - 4.2. Procedure pursuant to article II.3.1.2.b)11

- III. RIO for HLM11
- IV. RIO for OPSCOM11
- V. RIO for Incident Committee11
- Appendix 1: Applicable timeframes12

I. General

These Rules of Internal Order (the "**RIO**") set forth the decision-making process rules of the MCSC, the HLM (and by cross-reference of the OPSCOM and the Incident Committee) as referred to in Article 12 of the Agreement.

All capitalised terms not expressly defined herein shall have the meanings attributed to them in Annex 1 (Definition List).

II. RIO for MCSC

1. Composition of the MCSC

1.1. Representatives

Each Party is entitled to nominate one or several representatives to the MCSC. The representative(s) of each Party in the MCSC is/are designated in writing. The list of such representatives, including their contact details, are held by the MCSC Secretary. A Party may change its nominated representative(s) in the MCSC by providing the new contact details to the MCSC Secretary.

Each Party is, with respect to each meeting of the MCSC, duly represented either:

- by the nominated representative(s) (as designated by it in the conditions described above); or
- if a nominated representative cannot attend a meeting of the MCSC, by any other person duly mandated and empowered to take decisions binding upon its company on all items of the agenda for the meeting of the MCSC.

If a Party is unable to attend an MCSC meeting either by its nominated representative or by any other mandated person of this Party, such Party may mandate the MCSC representative of another Party to represent it.

In case of replacement, the concerned Party informs the MCSC Secretary in writing before the MCSC meeting that it cannot attend, with indication of the name of the person representing the Party on its behalf. In case of replacement by another Party, the concerned Party provides the MCSC Secretary with the power of attorney given to the other Party.

One representative may represent more than one Party, provided it is duly mandated to do so.

1.2. Chair

The meetings of the MCSC shall be jointly co-chaired by either one (1) representative (for both SDAC matters and SIDC matters) or two (2) representatives (one for SDAC matters, one for SIDC matters) elected by the NEMOs and either one (1) representative (for both SDAC matters and SIDC matters) or two (2) representatives (one for SDAC matters, one for SIDC matters) elected by the TSOs. The co-chairship of the meetings of the MCSC shall, unless otherwise agreed amongst the NEMOs or the TSOs respectively, be rotating on a yearly basis.

Any co-chair may, in exceptional circumstances which prevent him/her to exercise his/her functions at a meeting of the MCSC, delegate such task to another co-chair or as the case may be, to a representative of the NEMOs or TSOs respectively.

Co-chairs shall not have voting rights and shall not be considered representatives of their respective companies.

1.3. MCSC Secretary

The MCSC Secretary role is performed either by one (1) Party on rotating basis or by a third party appointed by the Parties.

The MCSC Secretary has no voting rights and can never (including in extraordinary circumstances) be mandated to vote for any Party.

The MCSC Secretary assists the MCSC, amongst others by:

- Drafting the agenda, preparing session files and notices of the MCSC meetings and distributing them on behalf of the co-chairs;
- Preparing the attendance list of the MCSC meetings;
- Verifying before each MCSC meeting that the representatives attending the MCSC meetings have been either listed on the list of nominated representatives or notified as replacement. In the event of representation by another Party, the MCSC Secretary collects the power of attorney given by the Party not attending;

- Verifying, for decisions on the agenda subject to a pre-alignment, if a NEMO Vote and TSO Vote have been reached and whether they match or not;
- Preparing the minutes of the MCSC meeting;
- Ensuring the drafting and circulation of the minutes of the MCSC meeting; and
- Keeping record in a common (online) storage place of the minutes and supporting documents of the MCSC meeting or coordinate with the person responsible for record keeping in accordance with Article 27.1 of the Agreement.

The costs of the MCSC Secretary are Common Costs and shall be shared as set forth in Article 15 of the Agreement.

2. MCSC meetings

[Redacted text block containing multiple lines of blacked-out content]

[REDACTED]

The meeting costs (hosting, organisation, etc.) are a Common Cost and shall be shared as set forth in the Agreement, it being understood that the travel costs of each Party's representative are borne by the Party(ies) he/she is representing.

The MCSC may meet either physically or by remote meeting devices (such as e.g. conference call, video call, written procedure, etc.) and the MCSC Secretary organising the MCSC meeting shall foresee the technical equipment that would allow remote access.

In accordance with article 10 of CACM, ACER and the European Commission shall be invited as observers to the meetings of the MCSC.

3. Decision-making rules within the MCSC

3.1. Quorum

Quorum requirements shall always be verified at the beginning of each MCSC meeting, in compliance with the following requirements (which shall be verified separately for SIDC matters subject to this Agreement, and for SDAC matters subject to the DAOA):

3.1.1. Specific quorum for matching pre-aligned NEMO Vote and TSO Vote

With respect to decisions on the agenda subject to pre-alignment, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

3.1.2. General quorum for all other types of decisions

a) [REDACTED]
[REDACTED]
[REDACTED]

b) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

4. Recording of MCSC decisions

4.1. Normal procedure

The decision(s) of the MCSC are recorded by the MCSC Secretary in written minutes.

The draft minutes (including decisions) are circulated by the MCSC Secretary to the members of the MCSC, within a maximum of the number of Working Days set forth in Appendix 1 of the meeting concerned.

Members of the MCSC may comment on the draft minutes within the number of Working Days set forth in Appendix 1 after such circulation (it being understood that the decisions themselves cannot be challenged and are binding as of the meeting during which they are taken). Unless agreed otherwise at the MCSC meeting, the minutes are approved at the next MCSC meeting.

The comments on the draft minutes received (if any) are discussed at the next available MCSC meeting.

The final minutes shall be made available by the MCSC Secretary to all Parties, by the number of Working Days set forth in Appendix 1 of their approval, by storing them in the common (online) storage place as set forth in Article 27.1 of the Agreement.

4.2. Procedure pursuant to article II.3.1.2.b)

Decision(s) taken in application of article II.3.1.2.b) shall be stored in the common (online) storage place as set forth in Article 26.2 of the Agreement.

III. RIO for HLM

The rules of internal order for the MCSC under Article II apply *mutatis mutandis* for the HLM.

IV. RIO for OPSCOM

The rules of internal order regarding the OPSCOM are provided in the relevant section of Annex 3.

V. RIO for Incident Committee

The rules of internal order regarding the Incident Committee are provided in the relevant section of Annex 2 (Incident Management Procedure).

Appendix 1: Applicable timeframes

Article	Topic	Deadline (in Working Days)
II. 2	Notification of invitations for regular MCSC meetings	20
II. 2	Sending of draft agenda	10
II. 2	Proposals for additions of items on the agenda	7
II. 2	Sending of final agenda & supporting documentation	5
II. 3.5.2. iii)	Ad hoc MCSC conference call deadline	10
II. 4.1	Sending of draft minutes	2
II. 4.1	Comment on the draft minutes	10
II. 4.1	Making final minutes available	2

In accordance with Article 25.1 of the Agreement, the timeframes mentioned in this appendix may be adapted by MCSC decision.