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Official Gazette dated 17/12/2024, numbered 32755

AGGREGATION ACTIVITY IN THE ELECTRICITY MARKET REGULATION

CHAPTER ONE Preliminary Provisions

Purpose

ARTICLE 1 – (1) The purpose of this Regulation is to set out the procedures and principles related to the activities that aggregators may carry out in the electricity market and the operations to be conducted within the scope of aggregator activities.

Scope

ARTICLE 2 – (1) This Regulation outlines the procedures and principles regarding the determination of the participation of aggregators in the organized wholesale electricity market and bilateral agreement activities within the scope of the relevant legislation, and the duties, authorities and responsibilities of the parties involved in transactions to be carried out as a part of aggregation activity in the electricity market.

(2) The following are excluded from the scope of this Regulation: unlicensed electricity generation facilities that have not yet completed their ten-year purchase guarantee, as defined in the Regulation on Unlicensed Electricity Generation in the Electricity Market, published in the Official Gazette dated 12/5/2019 and numbered 30772, unlicensed electricity generation facilities owned by OIZ legal entities and legal entities holding OIZ generation licenses..

Legal Basis

ARTICLE 3 – (1) This Regulation has been prepared based on Article 12/A of the Electricity Market Law No. 6446, dated 14/3/2013.

Definitions

ARTICLE 4 – (1) The following definitions shall apply in the implementation of this Regulation;

a) Balancing zone: The section of the grid designated by TEİAŞ where generation, consumption facilities and/or electricity storage units operating within the ancillary services market or balancing power market are located;

b) Electricity storage facility: A facility capable of storing electricity by converting it into another energy form and feeding the stored energy back into the system as electricity;

c) Relevant legislation: Laws, Presidential decrees, Presidential decisions, regulations, communiqués, licenses, circulars and decisions issued by the Board regarding the electricity market;

ç) Board: The Energy Market Regulatory Board;

d) Authority: The Energy Market Regulatory Authority;

e) Organized wholesale electricity market: Electricity markets such as the bilateral agreements market, electricity futures market, day-ahead market, intraday market, balancing power

market, and ancillary services market, organized by the market or system operator for wholesale trading of electricity, capacity or their derivatives;

f) Network operator: The relevant distribution license holder legal entity for networks operating at or below 36 kV voltage, or TEİAŞ for networks operating above 36 kV voltage;

g) Grid user: An entity connected to the transmission or distribution grid.

ğ) Supply: The wholesale or retail sale of electricity and/or capacity;

h) TEİAŞ: Turkish Electricity Transmission Corporation;

ı) Aggregator: A legal entity holding an aggregator license or a supply license, provided that aggregation is included in its license, and authorized to perform aggregation activities on behalf of one or more grid users under an agreement;

i) Aggregation: The market activity conducted by an aggregator by combining and managing the generation and/or consumption of one or more grid users;

j) Aggregation service agreement: A commercial agreement, governed by private law and not subject to Board approval, between aggregators and legal entities holding generation licenses, eligible consumers, legal entities owning independent storage facilities, and individuals or legal entities operating under the Regulation on Unlicensed Electricity Generation in the Electricity Market. This agreement allows the aggregator to buy and sell electricity and/or capacity on behalf of grid users and participate in ancillary service procurement processes;

k) Ancillary services: Services defined in the Electricity Market Ancillary Services Regulation, published in the Official Gazette dated 26/11/2017 and numbered 30252,

l) YEKDEM: A support mechanism that specifies prices, periods, volumes, and payment procedures for renewable energy-based generation activities performed either directly or via aggregators by generation license holders or unlicensed generators within the framework of the Regulation on Unlicensed Electricity Generation in the Electricity Market, and related legislation.

(2) Terms that are used in this Regulation but not defined in the first paragraph shall have the meanings and scope attributed to them in the relevant legislation.

CHAPTER TWO

General Principles of Aggregation Activities and Participation in Aggregation by Consumption and Generation Facilities

General principles on aggregation activities

ARTICLE 5 – (1) An aggregator shall enter into an aggregation service agreement with the relevant grid users to conduct market activities within the scope of aggregation.

(2) The aggregator shall participate in organized wholesale electricity market activities by concluding the relevant market participation agreements with the market operator and/or ancillary service agreements with the grid operator.

(3) Legal entities holding a supply license that includes aggregation activities in their license may not enter into an aggregation service agreement with grid users already included in their portfolio for electricity supply purposes.

(4) Aggregators are not permitted to engage in wholesale activities related to aggregation within the scope of their aggregation or supply licenses. However, purchases and sales made for portfolio balancing purposes are not considered wholesale activities.

(5) Aggregators may supply electricity to eligible consumers within their portfolios. When adding consumption facilities to their portfolios, it is mandatory for the aggregator to supply electricity to such facilities. However, if an aggregator providing demand-side participation

services opts not to supply electricity or capacity for facilities within its portfolio, existing agreements between those facilities and their suppliers shall remain valid.

(6) By applying to the relevant grid operator, aggregators may monitor, analyze, and report real-time generation and/or consumption data of the grid users within their portfolios using appropriate hardware, equipment, and infrastructure.

(7) Aggregators are responsible for managing the generation and/or consumption schedules of contracted users. They conduct market transactions related to the purchase and sale of electricity or capacity on behalf of such users and may participate in ancillary service procurement processes.

(8) Aggregators are responsible for fulfilling all obligations under the relevant legislation concerning market transactions, including collateral and imbalance, on behalf of the grid users within their portfolios.

(9) Aggregators may include generation facilities, consumption facilities, and electricity storage facilities separately or collectively within their portfolios.

(10) TEİAŞ may adjust balancing zones by notifying market participants and the Authority at least two months in advance.

Persons authorized to conduct aggregation activities

ARTICLE 6 – (1) Aggregation activities in the electricity market may only be conducted by legal entities holding an aggregator license or a supply license, provided that aggregation activities are annotated to the license.

(2) Provisions of the Electricity Market Licensing Regulation, published in the Official Gazette dated 2/11/2013 and numbered 28809, shall apply to the issuance, amendment, and other transactions related to licenses for legal entities engaged in aggregation activities.

General principles for participation of consumption facilities in aggregation activities

ARTICLE 7 – (1) Aggregators may include consumption facilities connected to the distribution or transmission grid in their portfolios.

(2) Aggregators shall supply electricity to the consumption facilities in their portfolios as part of demand-side participation. If an aggregator opts not to undertake energy supply activities for such facilities, this decision must be reported to the Market Operator via MMS. In such cases, the aggregator must ensure the following:

a) If the aggregator initially provides energy supply to a consumption facility but subsequently decides to discontinue this activity; or

b) If the aggregator initially opts not to provide energy supply at the time of portfolio creation or later stages but subsequently chooses to do so;

These changes must be notified to the Market Operator via MMS in compliance with the provisions of the Electricity Market Balancing and Settlement Regulation, published in the Official Gazette dated 14/4/2009 and numbered 27200.

(3) Any disputes arising from imbalance costs caused by load adjustments in consumption facilities under demand-side participation services shall be resolved under private law provisions between the aggregator, the relevant consumption facility, and its supplier.

(4) Consumption facilities in the same balancing zone within an aggregator's portfolio shall qualify as balancing units and/or ancillary service units if they meet the requirements set forth in the relevant legislation.

(5) Consumption facilities shall be registered as separate balancing units or ancillary service units based on their connection to either the transmission or distribution grid and their balancing zone.

(6) TEİAŞ may establish additional criteria for consumption facilities to be recognized as balancing units or ancillary service units, if necessary.

(7) Consumption facilities in an aggregator's portfolio may be registered as balancing units or ancillary service units upon the aggregator's request, provided they meet the applicable requirements. However, consumption facilities for which energy supply is not provided by the aggregator cannot be registered as balancing units or participate in the balancing power market.

General principles regarding the participation of licensed electricity generation facilities in aggregation activities

ARTICLE 8 – (1) Aggregators may include licensed, operational electricity generation facilities connected to the distribution or transmission grid, as well as electricity storage units or facilities within the scope of the Storage Activities in the Electricity Market Regulation, published in the Official Gazette dated 9/5/2021 and numbered 31479, in their portfolios.

(2) Aggregators may include licensed electricity generation facilities with an operational installed capacity of 100 MW or less in their portfolios.

(3) Electricity generation facilities included in an aggregator's portfolio shall qualify as balancing units and/or ancillary service units if they meet the requirements specified in the relevant legislation.

(4) Licensed electricity generation facilities in an aggregator's portfolio, located in the same balancing zone, and with an installed capacity of 100 MW or less, shall qualify as balancing units and/or ancillary service units if they meet the conditions outlined in the relevant legislation, even if they are not already designated as balancing units.

(5) Generation facilities shall be registered as separate balancing units or ancillary service units based on their connection to either the transmission or distribution grid.

(6) TEİAŞ may establish additional criteria for licensed electricity generation facilities to qualify as balancing units or ancillary service units, if necessary.

(7)) Upon the aggregator's request, licensed electricity generation facilities in its portfolio may be registered as balancing units or ancillary service units, provided they meet the conditions specified in the relevant legislation.

General principles for participation of unlicensed electricity generation facilities in aggregation activities

ARTICLE 9 – (1) Aggregators may include unlicensed electricity generation facilities connected to the distribution or transmission grid that have completed their ten-year purchase guarantee in their portfolios to manage surplus energy.

(2) No facility-specific installed capacity limit is applied to unlicensed electricity generation facilities. However, the Board may impose minimum and/or maximum capacity limits if necessary.

(3) Unlicensed electricity generation facilities included in an aggregator's portfolio and located within the same balancing zone shall qualify as balancing units and/or ancillary service units if they meet the conditions stipulated in the relevant legislation.

(4) Unlicensed electricity generation facilities shall be registered as separate balancing units or ancillary service units based on their connection to either the transmission or distribution grid.

(5) TEİAŞ may establish additional criteria for unlicensed electricity generation facilities to qualify as balancing units and/or ancillary service units, if necessary.

(6) Upon the aggregator's request, unlicensed electricity generation facilities in its portfolio may be registered as balancing units and/or ancillary service units, provided they meet the conditions specified in the relevant legislation.

Portfolio limits in aggregation activities

ARTICLE 10 – (1) If electricity generation facilities are included in the aggregator portfolio, the total electrical installed capacity of licensed and unlicensed electricity generation facilities in operation may be no more than 2000 MW. The share of the total electrical installed capacity of unlicensed electricity generation facilities in the aggregator portfolio within the said upper limit cannot exceed 500 MW.

(2) In the event that the total operational electrical installed capacity of licensed electricity generation facilities exceeds the 2000 MW limit within any invoice period; licensed electricity generation facilities shall be removed from the portfolio by the aggregator in the following invoice period, effective from the next invoice period, until the specified limit is met. In case the aggregator fails to do so within the specified period, the Market Operator shall start from the last licensed electricity generation facility included in the aggregator's portfolio and remove them from the portfolio in order until the limit condition is met. The licensed electricity generation facilities removed from the portfolio shall be recorded in the portfolio of the licensed market participants.

(3) In the event that the electrical installed capacity of unlicensed electricity generation facilities in operation exceeds 500 MW within any billing period; unlicensed electricity generation facilities shall be removed from the portfolio by the aggregator in the following billing period, effective from the next billing period, until the specified limit is met and the grid operator shall be informed about the change. In case the aggregator fails to perform the said action within the specified period, the Market Operator shall notify the grid operator, which made the last update, to remove the unlicensed generation facility from the relevant portfolio in an amount not less than the excess amount. Within three business days following the notification, the relevant grid operator performs the portfolio reduction process, effective from the second billing period following the excess, and notifies the Market Operator the updated data via MMS.

(4) In case the total operational electrical installed capacity of licensed and unlicensed electricity generation facilities exceeds 2000 MW in any billing period; licensed and/or unlicensed electricity generation facilities shall be removed from the portfolio by the aggregator in the following billing period, effective from the next billing period, until the determined limit is met. In case the aggregator fails to do so within the specified period, the market operator shall start from the last licensed electricity generation facility included in the aggregator's portfolio and remove the licensed electricity generation facilities from the portfolio until the limit condition is met. The licensed electricity generation facilities removed from the portfolio shall be recorded in the portfolio of the licensed market participants.

(5) If the operational installed capacity of a licensed electricity generation facility in an aggregator's portfolio exceeds the limit specified in Article 8(2), the facility shall be removed from the portfolio in the subsequent billing period. Removed facilities shall be transferred to the portfolios of the respective licensed market participants.

(6) No consumption or contract power limit is imposed on consumption facilities. However, the Board may impose a limit on the total contract power of consumption facilities within an aggregator's portfolio, if necessary.

(7) No limit is imposed on the total operational installed capacity of independent electricity storage facilities. However, the Board may impose such limits on the operational installed capacity of independent storage facilities in an aggregator's portfolio, if necessary.

CHAPTER THREE

General Principles Regarding the Electricity Market Activities of Aggregators

General principles regarding their participation in organized wholesale electricity market and bilateral agreement activities

ARTICLE 11 – (1) Aggregators may operate in organized wholesale electricity markets within the framework of relevant legislation.

(2) Aggregators may conclude bilateral agreements to balance their portfolios, provided they comply with the relevant legislation.

(3) Aggregators are required to adhere to the provisions concerning portfolio balancing, financial settlement of receivables and payables arising from participation in the balancing mechanism and settlement processes, and other related matters as stipulated in the relevant legislation.

General principles regarding their participation in ancillary services

ARTICLE 12 – (1) Aggregators may engage in ancillary service activities in the electricity market.

(2) Aggregators shall conduct ancillary service activities in accordance with the provisions of the relevant legislation.

(3) Aggregators must comply with the provisions regarding the procurement of ancillary services, including procurement methods, certification, monitoring, control, inspection, payment processes, penalties for non-compliance, and other matters, as outlined in the relevant legislation.

(4) Aggregators are required to provide the technical equipment and data requested by TEİAŞ for activities conducted in the ancillary services and/or balancing power markets.

Duties, authorities and responsibilities of aggregators under market participation agreements

ARTICLE 13 – (1) Aggregators conducting organized wholesale market activities based on relevant market participation agreements with the market operator shall fulfill their duties related to market transactions in accordance with the Electricity Market Balancing and Settlement Regulation.

(2) Aggregators obligated to provide ancillary services under agreements with TEİAŞ shall fulfill their duties concerning the provision of such services in line with the Electricity Market Ancillary Services Regulation.

(3) Within the scope of this Regulation, the duties, authorities and responsibilities of the market operator, network operators and supply companies shall be applied as set forth in the relevant legislation.

CHAPTER FOUR

Control and Measurement Systems

Remote control

ARTICLE 14 – (1) Aggregators participating in the balancing power market and/or ancillary services market must establish control systems, including communication infrastructure, to enable remote control of consumption facilities in their portfolios. They must also allow remote control of generation facilities if requested by TEİAŞ.

(2) Aggregators participating in demand-side services must establish communication infrastructure, including control meters, to facilitate the remote monitoring of consumption facilities in their portfolios by both the aggregator and TEİAŞ.

(3) Regarding the investments to be made by the aggregator within the scope of first and second paragraphs, the obligations of the relevant grid operator arising from the legislation are reserved. Aggregators must apply to the grid operator for the necessary investments in generation and consumption facilities. The relevant grid operator shall supervise these investments within ten business days of receiving the application. All associated costs shall be borne by the aggregator.

(4) Aggregators participating in the balancing power market and/or ancillary services market must comply with the administrative and technical requirements set by TEİAŞ within the scope of relevant legislation, including the installation of remote control systems, communication infrastructure, and provision of necessary data.

Measurement systems and/or monitoring with SCADA and data supply

ARTICLE 15 – (1) Aggregators are obligated to provide all required information to the market operator and TEİAŞ in a timely and accurate manner through measurement systems and/or SCADA, including remote communication infrastructure.

CHAPTER FIVE

Miscellaneous and Final Provisions

Announcement of balancing zones

ARTICLE 16 – (1) TEİAŞ shall announce the balancing zones until 1/1/2025.

Completion of TEİAŞ's remote monitoring, control and communication infrastructure preparations

PROVISIONAL ARTICLE 1 – (1) TEİAŞ shall complete the preparations for remote monitoring control or communication infrastructure required for the implementation of this Regulation by 1/5/2025.

Effective date

ARTICLE 17 – (1) This Regulation shall enter into force on 1/1/2025.

Execution

ARTICLE 18 – (1) The provisions of this Regulation shall be executed by the President of the Energy Market Regulatory Authority.