



Single Electricity Market

(SEM)

Capacity Market Code Working Group 12

Urgent Modification Consultation Paper

**CMC_05_20 Amendments Relating to the Clean
Energy Package**

Appendix C – High Level Technical Guidance

SEM-20-023(c)

08 April 2020

1. APPENDIX C: HIGH LEVEL TECHNICAL GUIDANCE NOTE FOR THE DETERMINATION OF CO₂ EMISSIONS TO BE USED IN THE CMC, PURSUANT TO ARTICLE 22(4) OF EU REGULATION 2019/943

1. Unless otherwise stated in this Technical Guidance Note, CO₂ emissions should be determined in accordance with the ACER Opinion 22-2019 (“the **AO**”).
2. Where, for existing capacity, less than three calendar years but more than one calendar year of historical data is available, determinations shall be performed on the basis of the AO with the available calendar years of historical data.
3. Where less than one calendar year of historical data is available, any determination of CO₂ emissions shall be made on the same basis as for new capacity.
4. When making a determination of CO₂ emissions to compare with the 350kg of CO₂ per installed kWe limit, only the most recent calendar year of historic data should be used. If a Party believes that this most recent historic year is not representative then they may submit an *additional* determination of CO₂ emissions on an alternative basis. A fully reasoned and evidenced justification for such alternative basis should be submitted.
5. Where a secondary fuel is burned on an exceptional basis when the primary fuel is unavailable for a unit, individual CO₂ emission rates should not be determined for the primary and secondary fuels but an average CO₂ emission rate over historic usage of both fuels should be determined.
6. For CHP capacity, CO₂ emissions shall be determined on the basis of the relevant ISO standard, if such a standard exists, or otherwise on the same basis as is (or would be) applied under the EU ETS.
7. For aggregated units (i.e. DSUs and AGUs), each element comprising the aggregated unit will be considered separately on the basis of its CO₂ emissions.
8. For aggregated units, each element comprising a unit will be considered to have “started commercial production” under Article 22(4) of EU Regulation 2019/943 when it is first coupled with an aggregated unit. Thus reflecting the clarification given in the ACER Evaluation of Responses in relation to DSUs which refers to commercial production commencing when a back-up unit is coupled with Demand Side Response¹.
9. For any situation not covered by this Technical Guidance Note, a Party should make their own determination complying so far as possible with the guidance provided. A fully reasoned and evidenced justification for the basis of such determination should be submitted.

¹ Page 13 Question 7 ACER response

https://www.acer.europa.eu/Official_documents/Public_consultations/PC_2019_E_10/20191216%20Opinion%20on%20CO2%20calculation%20-%20Evaluation%20Paper%20Public%20Consultation.pdf