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**Comments on draft technical regulation 3.4.2 - manual load shedding for demand facilities connected at transmission level**

Gorrissen Federspiel advises existing demand facilities connected to the transmission grid and potential demand facilities which may be connected the transmission grid. Our comments must be seen in this context.

Thank you for providing us this opportunity to comment on the draft technical regulation 3.4.2 on manual load shedding for demand facilities connected at transmission level (hereinafter “TR 3.4.2”) and the draft guidelines (hereinafter “Guidelines”).

Besides TR 3.4.2 (and the Guidelines), technical regulation 2.1.2 - automatic and manual load shedding (hereinafter “TR 2.1.2”) governs load shedding of distribution systems.

**Scope of TR 3.4.2**

Sections 1(2)-(3) of TR 3.4.2 provide that TR 3.4.2 is applicable for transmission-connected demand facilities connected after date of the entry into force of TR 3.4.2.

According to section 1(4) of TR 3.4.2, existing transmission-connected demand facilities - as defined in point 1, cf. point 5, of appendix 1 of TR 3.4.2 - are not subject to the requirements of TR 3.4.2, cf., except where:

- a) an existing transmission-connected demand facility has been modified to such an extent that its connection agreement must be substantially revised (reproduces article 4(1)(a) of EU regulation 2016/1388 of 17. august 2016 (hereinafter “DCC regulation”)); and
- b) the regulatory authority takes the decision that the entire transmission-connected demand facility - both the existing transmission-connected demand facility and the expansion of the said demand facility - is subject to the DCC Regulation, partly or wholly, and as a consequence will be within the scope of TR 3.4.2 (reproduces article 4(1)(b) of the DCC regulation).



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Taking the above into account, it is our understanding that transmission-connected demand facilities connected before the date of the entry into force of the TR 3.4.2 (existing transmission-connected demand facilities) falls outside the scope TR 3.4.2, unless the exemptions in section 1(4) are applicable.

However, e.g. the first sentence of section 2.8 of the Guidelines - with the heading “Decision on which transmission-connected demand facilities being disconnected” - provides that:

*“Energinet’s Kontrolcenter chooses, based on the given situation, whether it is most appropriate to disconnect all or only some of the transmission-connected consumers.”*

As a result, no distinction is made (i) between demand facilities connected before and after date of the entry into force of the TR 3.4.2, cf. section 1(3) of TR 3.4.2, (ii) whether the connection agreement has been substantially revised, cf. section 1(4)(a) of TR 3.4.2, or (iii) whether the regulatory authority has taken a decision, cf. section 1(4)(b) of TR 3.4.2. The same comment applies for the first sentence of section 3.7 of the Guidelines (governing reconnection).

The second sentence of section 2.8 of the Guidelines, cf. the wording below, seems to be more in line with the regulation stipulated by TR 3.4.2. The same comment applies for the second sentence of section 3.7 of the Guidelines (governing reconnection).

*“If the situation allows it, Energinets Kontrolcenter must try to disconnect equally between both the transmission-connected demand facilities under technical regulation 3.4.2, and the distribution companies under technical regulation 2.1.2, which is comparable to this regulation.”*

This above comment must inter alia be seen in the context of the definition of a “transmission-connected demand facility” (in Danish: transmissionstilsluttede forbrugsanlæg). A “transmission-connected demand facility” is defined as “a demand facility having a connection point to the transmission grid”, cf. point 5 of appendix 1 of TR 3.4.2. Throughout TR 3.4.2 and the Guidelines the term ‘transmission-connected demand facilities’ is used, however, this term does not take the above distinctions, cf. sections 1(2)-(4) of TR 3.4.2, into account.

### **Closing remarks**

To sum-up, the scope of TR 3.4.2 seems to be unclear. In order to avoid any confusion it is appropriate to specify that transmission-connected demand facilities refers to a demand facility failing within the scope of TR 3.4.2. I am available to explain to the above comments in further details. Thus, please do not hesitate to contact me, if needed.

Best regards  
Gorrissen Federspiel

Jacob Sandholt