

**Establishment of regional coordination centre
for the South West Europe SOR
in accordance with Article 35 of the Regulation
(EU) 2019/943 of the European Parliament
and of the Council of 5 June 2019 on the
internal market for electricity**

June 2022

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Whereas

- (1) Pursuant to Article 36(1) of the Commission Regulation (EU) 2019/943 on the internal market for electricity (hereafter referred to as “Regulation 2019/943”), ENTSO-E shall develop a proposal defining System Operation Regions (hereafter referred to as ‘SORs’) and submit it to ACER for approval.
- (2) ACER issued on 6 April 2020 its first decision on the definition of SORs (Decision No 10/2020), establishing 5 SORs and including SWE Capacity Calculation Region (hereafter referred to as “CCR”) in the Central Europe SOR (hereafter referred to as “Central SOR”) encompassing also the Core and Italy North CCRs.
- (3) Following an appeal by ENTSO-E, ACER issued Decision No 08/2021 of 29 June 2021 on the definition on SORs which still included SWE CCR in the Central SOR.
- (4) Following a new appeal by ENTSO-E, ACER withdrew Decision No 08/2021 and issued Decision No 05/2022 of 7 April 2022 on the definition of SORs (hereafter referred to as “new SOR Decision”) creating a new SWE SOR encompassing the SWE CCR.
- (5) These SWE RCC Establishment Provisions contain the provisions to establish the regional coordination centre for the SWE SOR (hereafter referred to as “SWE RCC”) in accordance with Article 35 of the Regulation 2019/943.
- (6) These SWE RCC Establishment Provisions take into account the general principles and goals set in the Regulation 2019/943 as well as:
 - a. the Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity (hereafter referred to as “Directive 2019/944”); and
 - b. all the applicable Network Codes and Guidelines referred to in the Regulation 2019/943, adopted on the basis of Article 18(5) of Regulation (EC) No 714/2009 such as the Regulation (EU) 2017/1485 of 2 August 2017 establishing a guideline on electricity transmission system operation (hereafter referred to as “SO Regulation”), Regulation (EU) 2015/1222 of 24 July 2015 establishing a guideline on capacity allocation and congestion management (hereafter referred to as “CACM Regulation”), Regulation (EU) 2016/1719 of 26 September 2016 establishing a guideline on forward capacity allocation (hereafter referred to as “FCA Regulation”), Regulation (EU) 2017/2196 of 24 November 2017 establishing a network code on electricity emergency and restoration (hereafter referred to as “ER Regulation”) and Regulation (EU) 2017/2195 of 23 November 2017 establishing a guideline on electricity balancing (hereafter referred to as “EB Regulation”), each as amended by Implementing Regulation (EU) 2021/280 of 22 February 2021 amending Regulations (EU) 2015/1222, (EU) 2016/1719, (EU) 2017/2195 and (EU) 2017/1485 in order to align them with Regulation (EU) 2019/943.
- (7) In accordance with whereas 53 of Regulation 2019/943, the SWE RCC Establishment Provisions shall take into account the existing regional coordination initiatives such as the existing Regional Security Coordinators (hereafter referred to as “RSC”) as well as the Coordinated Capacity Calculators operating in SWE CCR.
- (8) The SWE RCC Establishment Provisions specify the Member State of the prospective seat of the SWE RCC in Article 3 and define the Participating TSOs in Article 4.

- (9) The SWE RCC Establishment Provisions describe common organisational and financial arrangements for SWE RCC in Article 5 and in Article 6.
- (10) An implementation plan for SWE RCC to provide the tasks listed in Article 37 of Regulation 2019/943 to the TSOs of the SWE SOR is developed in Article 7.
- (11) The applicable requirements concerning the Statutes of the SWE RCC are described in Article 8. The applicable requirements concerning the Rules of Procedure of the SWE RCC are described in Article 9.
- (12) In accordance with the provisions of Article 38 of Regulation 2019/943, the SWE RCC Establishment Provisions clarify the cooperative processes to be taken into account by SWE RCC when developing the working arrangements for the tasks listed in Article 37 of Regulation 2019/943 in line with the applicable legal framework (such as methodologies implementing the SO Regulation, CACM Regulation and FCA Regulation), including the applicable procedures for sharing analysis and consulting with the transmission system operators in the system operation region and, as relevant, with the transmission system operators from Central RCCs and relevant stakeholders and with other regional coordination centres, in line with articles 10 to 12, and a procedure for the adoption of coordinated actions and recommendations in accordance with Article 42 of Regulation 2019/943 in line with article 13.
- (13) The basis for the SWE RCC liabilities is detailed in Article 14.
- (14) If the RCC established in the SWE SOR is established in (an)other SOR(s), SWE TSOs shall coordinate with the TSOs of the concerned other SOR(s) to ensure that the provisions in the SWE RCC Establishment Provisions are consistent with the provisions to establish the RCC of the other concerned SOR(s) in accordance with Article 35 of Regulation 2019/943.
- (15) In accordance with Article 35(2) of Regulation 2019/943, once the SWE RCC Establishment Provisions are approved by the regulatory authorities of the SWE SOR, the SWE RCC shall replace the RSC established pursuant to the SO Regulation by 1 July 2022.

Article 1 Subject matter and scope

These SWE RCC Establishment Provisions aim at establishing the existing RSC Coreso as SWE RCC for SWE SOR, as of 1 July 2022.

Article 2 Definitions and interpretation

1. For the purposes of the SWE RCC Establishment Provisions, the terms used shall have the meaning of the definitions included in Article 2 of Regulation 2019/943, in Article 2 of the Directive 2019/944, in Article 3 of the SO Regulation and in Article 2 of the CACM Regulation, as well as in any applicable legislation.
2. The following acronyms and abbreviations are used in this document:
 - i REE means Red Eléctrica de España, S.A.U.;
 - ii REN means Rede Eléctrica Nacional, S.A.;
 - iii RTE means Réseau de Transport d'Electricité;
 - iv CCR means Capacity Calculation Region defined in accordance with Article 15 of the CACM Regulation;
 - v CGM means the Common Grid Model established in accordance with Articles 67 and 70 of the SO Regulation;
 - vi OCR means Outage Coordination Region;
 - vii OPC means the Outage Planning Process run in accordance with Title 3 of the SO Regulation;
 - viii Regulation 2019/941 means the Regulation (EU) 2019/941 of the European Parliament and of the Council of 5 June 2019 on risk-preparedness in the electricity sector and repealing Directive 2005/89/EC;
 - ix SLA means Service Level Agreement;
 - x SOR means system operation region defined in accordance with Article 36 of Regulation 2019/943;
 - xi STA means the Short Term Adequacy process run in accordance with Article 81 of the SO Regulation and Article 8 of Regulation 2019/941.
3. In this document, unless the context requires otherwise:
 - a) the singular indicates the plural and vice versa;
 - b) the table of contents and headings are inserted for convenience only and do not affect the interpretation of this document;
 - c) references to an “Article” are, unless otherwise stated, references to an Article of this document;
 - d) references to a “paragraph” are, unless otherwise stated, references to a paragraph included in the same Article of this document where it is mentioned; and
 - e) any reference to legislation, regulations, directive, order, instrument, code or any other enactment shall include any modification, extension or re-enactment of it then in force.

Article 3 RCCs establishment, seats and legal forms

1. In application of Article 35(1)(a) of the Regulation 2019/943, all TSOs in the SWE SOR shall establish the existing entity Coreso as SWE RCC keeping its current seat in Belgium.
2. The legal form of Coreso is a *naamloze vennootschap/société anonyme* under Belgian law; its seat is in Brussels, Belgium. The legal form of Coreso is in line with Article 35(3) of the Regulation

2019/943 (and Annex II of Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law, listing the types of companies which are accepted under Article 35(3) of the Regulation 2019/943).

3. As private company seated in EU Member States, the SWE RCC determine the composition of their shareholding autonomously, taking into account any applicable EU and national laws.

Article 4 Participating transmission system operators

1. The TSOs of the SWE SOR participating in Coreso are:
 - a) REE;
 - b) REN; and
 - c) RTE.
2. All participating TSOs shall participate in Coreso as shareholders.
3. If the RCC of SWE SOR is established as RCC in another SOR, the conditions for the participation of the TSOs of that SOR in this RCC are defined in the RCC establishment proposal of the relevant SOR.

Article 5 Organisational and operational arrangements

1. The organisational arrangements for SWE RCC shall be defined according to the relevant company law applicable in the location where the RCC is seated starting from the already established working frameworks of the existing RSC and taking into account the following requirements:
 - a) RCCs shall be equipped with all human, technical, physical and financial resources necessary for fulfilling their obligations under Regulation 2019/943 and carrying out their tasks independently and impartially.
 - b) RCCs must be available to operate in all timeframes on a 24 hours / 7 days basis to carry out the tasks within and between the designated CCRs and/or SOR.
 - c) RCCs shall have a back-up IT environment available that can deal with any failure occurring during the performance of the task as established in the contractual framework.
 - d) All inter-RCC oral and written exchanges shall use the English language.
2. SWE RCC shall determine its organisation in accordance with Article 43(3) of Regulation 2019/943 to fulfil the obligations of impartiality and independence in accordance with Article 45 of Regulation 2019/943. SWE RCC shall act in a non-discriminatory way that provide an equal treatment of contractual parties that receive RCC tasks.
3. SWE RCC shall match the following provisions in terms of resources:
 - a) Hiring: SWE RCC can directly hire personnel or receive personnel from TSOs on the basis of a contractual secondment that assigns TSOs personnel to SWE RCC for a defined period of time to ensure effective exchange of know-how and experience.
 - b) Organisation: SWE RCC generally organise their resources in the following main business units:
 - Corporate Services which consists of Finance, Human Resources, Legal & Compliance experts;
 - Service Development which consists of engineers responsible to develop the tasks to be implemented by the RCC in line with the cooperative process of Article 35(1)(e) of Regulation 2019/943;

- Service Operations which consists of operators responsible to implement and run the tasks developed in line with Article 35(1)(e) of Regulation 2019/943 regarding the cooperative process. Service Operations work in a 24/7 mode; and
- Information Technology Service which consists of IT Experts supporting the development and the implementation of the tasks, and operation of the IT platforms.

The aforementioned business units are examples. This organisation can evolve in terms of name, purpose, number, structure and experts.

4. Training and certification of staff working for the RCCs is done according to the methodology regarding the task referred to in Article 37(1)(g) of Regulation 2019/943.

Article 6 Financial arrangements

1. The financial arrangements for SWE RCC shall be defined according to the relevant company law applicable in the location where the RCC is seated, starting from the already established working frameworks of the existing RSC.
2. The following general criteria apply:
 - a) For operational expenses:
 - (i) A service fee is calculated yearly per particular task carried out by SWE RCC pursuant to Article 15 according to predefined contractual sharing keys in the relevant service level agreements. This fee is paid by each SWE TSO or other stakeholders, such as ENTSO-E, to which this particular task is provided to cover the costs of providing this task (including other operational expenses) and, if applicable, to further developing the task.
 - (ii) To ensure that the RCC can fulfil its responsibility of coordination and the overall functioning of the RCC, the participating TSOs of Coreso can agree, with the other shareholders of Coreso, to pay to the RCC an annual fee covering among others the development costs of the tasks and potential remaining operational costs. This fee is agreed annually by shareholders for the following year and reviewed at the end of the year.
 - (iii) The fees set out in points (i) and (ii) shall include a commercial margin as required by law.
 - b) With regards to investments in necessary tools and equipment, the participating TSOs of Coreso shall agree, with the other shareholders of Coreso, on how financial shortages shall be covered in order to maintain the means of the company. For this specific situation, following approval from the relevant body according to the Statutes of the entity, the RCC may for instance ask for a commercial bank loan or ask the shareholders to increase its capital or to subscribe for a loan. This should allow RCC to perform its general activities and to invest in the tools necessary for the provision of these tasks in accordance with Recital 58 of Regulation 2019/943.
3. Methods of financial controlling and reporting rules shall comply with Article 46 of Regulation 2019/943, national legal requirements and generally accepted best practices.

Article 7 Implementation plan

1. The responsibility and operation of services already performed by RSCs in the SWE CCR shall be transferred to the SWE RCC as soon as it is operational and no later than 1 of July 2022.
2. The tasks referred to in Article 37(1)(a-f) of Regulation 2019/943 shall be implemented according to the CACM Regulation, the SO Regulation and the ER Regulation including the panEuropean

and CCR related methodologies adopted on their basis and in accordance with the provisions of Articles 10 to 13. The tasks are performed either on CCR level or on pan-European level. SWE RCC shall support the TSOs and, where applicable, ENTSO-E in developing the business solutions for the necessary IT tools.

3. The implementation by SWE RCC of the tasks in accordance with Article 37(1)(g-p) of Regulation 2019/943 shall be ensured in line with the requirements of Articles 10 to 13, taking into account the following:
 - a) The tasks referred to in Article 37(1) (g), (h), (i), (j), (k), (l), (o) and (p) of Regulation 2019/943, where applicable and where requested by SWE TSOs, shall be implemented in line with methodologies regarding those tasks as referred in Article 26(11) and Article 37(5) of Regulation 2019/943.
 - b) The tasks in Article 37(1)(m) and (n) are not delegated to RCCs by ENTSO-E.

Article 8 Statutes

1. The Statutes of the SWE RCC are set up by the general meeting of shareholders convened according to the applicable law.
2. The statutes of Coreso (Articles of Association) attached to these SWE RCC Establishment Provisions were adopted by the general meeting of shareholders according to the applicable Belgian and European laws (attached as Annex I).
3. The statutes of Coreso fulfil the requirements of Regulation 2019/943:
 - a) The statutes of Coreso establish a corporate entity which is called “Board of Directors” according to the applicable Belgian law. This is the equivalent of the management board as referred to under Article 43(1) of Regulation 2019/943.
 - b) According to its statutes, Coreso is managed by the Board of Directors, whose members are appointed by the general meeting of shareholders.
 - c) According to the statutes, the Board of Directors shall have the broadest powers to perform all acts necessary or useful for the realisation of the corporate purpose, with the exception of the powers reserved to the general meeting by the law. This is therefore in accordance with Article 43(3) of Regulation 2019/943. It should, however, be noted that, according to Belgian law of public order, the power to draft and endorse statutes is reserved to the general meeting of shareholders.
 - d) According to its statutes, the daily management of Coreso is delegated to a Chief Executive Officer (CEO) and, as the case may be, to a Chief Operation Officer (COO) who both have broad daily management powers and power to act alone and to represent the company individually, within the limits of the daily management. This is therefore fully in line with Article 43(4) of Regulation 2019/943.
4. Once set up by the general meeting of shareholders, any changes to the Statutes of Coreso shall be submitted to the regulatory authorities of the SWE SOR for the approval in accordance with Article 35(1)(d) of Regulation 2019/943, as an amendment to the SWE RCC establishment provisions. To avoid unnecessary administrative burden, non-essential amendments should be collected and bundled over a period of at least 1 year and then submitted jointly for NRA approval.

Article 9 Rules of procedure

1. The rules of procedure of SWE RCC are set up by the respective shareholders.
2. The principles of rules of procedure for Coreso are included in the statutes of Coreso; the current rules fulfil the requirements of Regulation 2019/943.

3. Provisions in Article 8(4) apply to any changes to the rules of procedure set up by the relevant shareholders.

Article 10 Working Arrangements

1. A working arrangement is an agreement between the SWE RCC and the TSO(s) or between the SWE RCC and RCCs established in other SORs, referring to tasks carried out by RCCs in accordance with Regulation 2019/943.
2. When developing working arrangements to address planning and operational aspects within and between RCCs in accordance with Article 38(a) and Article 39 of Regulation 2019/943, SWE RCC shall respect the following guidance regarding the tasks listed in Article 37 of Regulation 2019/943:
 - a) For the task mentioned in Article 37(1)(a), SWE RCC shall refer to the Capacity Calculation Methodology for Day-Ahead and Intraday in accordance with Articles 20 and 21 of the CACM Regulation developed for SWE CCR.
 - b) For the task mentioned in Article 37(1)(b), SWE RCC shall refer to:
 - the Methodology for Coordinating Operational Security Analysis in accordance with Article 75 of the SO Regulation; and
 - the Methodology for Regional operational Security Coordination in accordance with Article 76 of the SO Regulation developed for SWE CCR.
 - c) For the task mentioned in Article 37(1)(c), the SWE RCC shall refer to:
 - the Common Grid Model Methodology in accordance with Article 17 of the CACM Regulation;
 - the Common Grid Model Methodology in accordance with Article 18 of the FCA Regulation;
 - the Common Grid Model Methodology in accordance with Articles 67(1) and 70(1) of the SO Regulation; and
 - any document (Common Grid Model Methodology) that supersedes one or more of the three versions of the Common Grid Model Methodologies referred to above.
 - d) For the task mentioned in Article 37(1)(d), SWE RCC shall refer to the consistency assessment of the relevant system defence plans and the restoration plans in accordance with Article 6 of the ER Regulation.
 - e) For the task mentioned in Article 37(1)(e), SWE RCC shall refer to:
 - the Methodology for short-term and seasonal adequacy assessment in accordance with Article 8 of Regulation 2019/941; and
 - any contractual framework (e.g. SLA) covering the operation of the tools implemented for the task.
 - f) For the task mentioned in Article 37(1)(f), SWE RCC shall refer to:
 - the Methodology for assessing the relevance of assets for outage coordination in accordance with Article 84 of the SO Regulation; and
 - any contractual framework (e.g. SLA) covering the operation of the tools implemented for the task.
 - g) For the task mentioned in Article 37(1)(g), SWE RCC shall refer to the methodology in accordance with Article 37(5) of Regulation 2019/943.
 - h) For the task mentioned in Article 37(1)(h), if the task is requested by the TSOs of the SWE SOR, SWE RCC shall refer to the methodology in accordance with Article 37(5) of Regulation 2019/943.

- i) For the task mentioned in Article 37(1)(i), SWE RCC shall refer to the methodology in accordance with Article 37(5) of Regulation 2019/943.
 - j) For the task mentioned in Article 37(1)(j), SWE RCC shall refer to the methodology in accordance with Article 37(5) of Regulation 2019/943.
 - k) For the task mentioned in Article 37(1)(k), if the task is implemented according to the regional agreement on procurement of balancing capacity by the TSOs of the SWE SOR, SWE RCC shall refer to the methodology in accordance with Article 37(5) of Regulation 2019/943.
 - l) For the task mentioned in Article 37(1)(l), if the task is requested by the TSOs of the SWE SOR, SWE RCC shall refer to the methodology in accordance with Article 37(5) of Regulation 2019/943 and to the relevant existing methodologies, where applicable.
 - m) For the task mentioned in Article 37(1)(m), SWE RCC shall develop working arrangements in case of involvement in the task performed by ENTSO-E in accordance with the methodology developed pursuant to Article 6(1) of Regulation 2019/941.
 - n) For the task mentioned in Article 37(1)(n), SWE RCC shall develop working arrangements in case of involvement in the task performed by ENTSO-E in accordance with the methodology developed pursuant to Article 9(2) of Regulation 2019/941.
 - o) For the task mentioned in Article 37(1)(o), SWE RCC shall refer to the methodology for calculating the maximum entry capacity for cross-border participation in accordance with Article 26(11) of Regulation 2019/943.
 - p) For the task mentioned in Article 37(1)(p), SWE RCC shall refer to the methodology in accordance with Article 37(5) of Regulation 2019/943.
 - q) For all the tasks, SWE RCC shall refer to any relevant existing and future contractual framework (e.g. SLA) established for SWE CCR and to any proposal that will be developed by ENTSO-E according to Article 37(5) of the Regulation 2019/943.
3. Additionally, in accordance with the Annex I to the SOR Decision, SWE RCCs shall refer to the capacity calculation methodology for long-term timeframes in accordance with Article 10 of the FCA Regulation developed for SWE CCR.
 4. The SWE RCC shall ensure that the working arrangements contain rules for the notification of concerned parties in line with Article 12.

Article 11 Process for revision of Working Arrangements

1. For each task mentioned in Article 10, when reviewing the respective working arrangements, the SWE RCC providing that task shall follow this process:
 - a) The SWE RCC shall submit a proposal to the TSOs of the SWE SOR and, as relevant, to the other TSOs receiving services from the SWE RCC when established as RCC in their system operation region and to the RCCs established in other system operation regions. The SWE RCC shall share with the parties mentioned above the rationale of their proposal.
 - b) The proposal shall include a timeline for implementation.
 - c) Within 3 months, the parties as set out in paragraph 1(a) shall, in writing, approve, object or table an amendment to the proposal. Where an objection is raised, an explanatory response shall be provided setting out the reasons for the objection. Upon request from a participating TSO the Management Board of the SWE RCC can extend the period.
 - d) The SWE RCC shall take into account responses from all parties as set out in paragraph 1(a) and produce a proposal for endorsement by the Management Board.

Article 12 Sharing analysis and consulting on day-to-day RCC proposals

1. In its daily operational duties, SWE RCC shall share the analysis and consult proposals:
 - a) with the TSOs of the SWE SOR in line with the methodologies listed in Article 10 and in line with the requirements in Article 13; and
 - b) with the RCCs established in the Central SOR, or with the TSOs of Central SOR, or with other TSOs receiving services from the Central RCCs:
 - as applicable in line with Article 4(4) of the Annex I to the SOR Decision;
 - in line with applicable cross-regional methodologies terms and conditions as listed in Article 10;
 - in line with the applicable procedures and applicable SLAs between TSOs and with RCCs.
2. The TSOs of the SWE SOR and the SWE RCC shall establish an interaction with relevant stakeholders on issues of their day-to-day coordination in line with the requirements described in the SO Regulation, the CACM Regulation, the FCA Regulation and the ER Regulation, or other applicable methodologies listed in Article 10. Any problems or issues that may emerge in the day-to-day coordination shall be included in the report to be prepared according to Article 46(4) of Regulation 2019/943.
3. If relevant, a consultation with the RCC established in other SORs or with the TSOs of other SORs shall precede the final adoption of coordinated actions or recommendations resulting from the process described in Article 13.
4. When consulting with RCCs established in other SORs during day-to-day processes, the SWE RCC shall find solutions that:
 - a) do not violate operational security limits;
 - b) restore operational security limits, if relevant; and
 - c) minimise costs.

Article 13 Procedure for the adoption and review of coordinated actions and recommendations

1. The procedure for the adoption and review of coordinated actions and recommendations for tasks referred to in Article 37(1) of Regulation 2019/943 carried out by the SWE RCC shall be developed according to the respective existing methodologies listed in Article 10 and according to Article 42 of Regulation 2019/943.
2. For tasks referred to in Article 37(1)(a) and (b) of Regulation 2019/943, for SWE CCR, before the SWE RCC issues coordinated actions, the TSOs of SWE CCR shall confirm as applicable that the coordinated action proposed by the RCC are secure, reliable and efficient in accordance with:
 - a) Articles 35(5) and 42(2) of Regulation 2019/943;
 - b) Article 26 of the CACM Regulation;
 - c) Article 17 of the methodology for coordinating operational security analysis in accordance with Article 75 of the SO Regulation;
 - d) the methodology for capacity calculation developed for SWE CCR in accordance with Article 20 and 21 of the CACM Regulation;
 - e) the methodology for the regional operational security coordination developed for the SWE CCR in accordance with Article 76 of the SO Regulation; and
 - f) the provisions of the Synchronous Area Framework Agreement for the Regional Group Continental Europe.

3. Before the SWE RCC issues coordinated actions for one or more tasks referred to Article 37(1)(c-p) of Regulation 2019/943 where they have been granted the competence in accordance with Article 42(6) of Regulation 2019/943, all the affected TSOs shall confirm that the coordinated action proposed by the RCC are secure, reliable and efficient in accordance with Articles 35(5) and 42(2) of Regulation 2019/943.
4. Any coordinated action not confirmed by the affected TSO(s), according to the relevant methodology, shall not be issued by the SWE RCC.
5. When one or more TSO trigger a review of coordinated actions or recommendations for any task carried out by the SWE RCC, they shall provide an explanation of the reason to the SWE RCC and TSOs affected, according to the relevant methodology, by that coordinated action or recommendation and if relevant they shall provide updated input to the SWE RCC.
6. Each TSO of the SWE SOR shall trigger a review of coordinated actions for any task carried out by SWE RCC if coordinated actions become unavailable. In that case, the SWE RCC shall modify the coordinated actions without delay to exclude the coordinated actions that became unavailable.
7. For any task carried out by the SWE RCC, all TSOs of the SWE SOR and the SWE RCC shall ensure that all relevant information is shared with the TSOs affected by that coordinated action or recommendation and the SWE RCC.

Article 14 Liability

1. All SWE TSOs receiving services from SWE RCC for the tasks listed in Article 37 of Regulation 2019/943 shall conclude a SLA with the RCC. The SWE RCC may conclude a similar SLA with all the other TSOs receiving services by the RCC. The SLA shall provide details on RCC' liability towards TSOs and in relation to third party claims but only to the extent that it affects the TSOs and third parties.
2. Executing the tasks is focused on the relationship between SWE RCC and its serviced TSOs. Third parties are not direct addressees of the provisions of Article 37 of Regulation 2019/943. Nonetheless, the execution of RCC' tasks might lead to a liability of SWE RCC towards third parties based on tort law.
3. The SWE RCC's liability towards TSOs is governed by contractual provisions included in the specific applicable SLA. SWE RCC can be held liable for executing the tasks listed in Article 37(1) of Regulation 2019/943 to TSOs in the event:
 - a) of a RCC's mal-performance or non-performance [mal-performance and non-performance is assessed against the respective methodology] of these tasks; and
 - b) which leads to a TSO's damage that is imputable to the RCC's mal-performance or non-performance.
4. The legal basis for any liability claim of the TSOs receiving services from the SWE RCC towards SWE RCC is the national law, which is applicable as determined by the relevant SLA. With regards to liability there is no need to distinguish whether the TSO claiming damages against the SWE RCC is a shareholder of the SWE RCC to which the damage is imputable or not. Any RCCs' limitation of liability may be set out in the specific and relevant SLA.
5. The SWE RCC's direct liability towards third parties is based on national law, specifically on tort law. The specific liability regime therefore depends on the applicable national law, generally determined based either on the seat of the SWE RCC causing the damages or on the location where the damage occurs. In any case it is generally not possible to limit liability towards third parties based on tort law.

6. In case SWE RCC is exposed to a third party claim where another party has contributed to the damage, the contractual arrangements will determine what contribution that other party assumes.
7. Based on an estimation of the SWE RCC's risk exposure, the following steps to cover liability related to the execution of SWE RCC tasks shall be taken:
 - a) a limitation of the respective SWE RCC liability for cases to be determined under the SLAs; and
 - b) an appropriate insurance coverage to losses and damages stipulated by SWE RCC (if available) in order to cover liability cases under SLAs with their respective customers (TSOs or other RCC) and insurance coverage in order to cover RCC' liability towards third parties in place.
8. SWE RCC is not liable for any catastrophic events that might cause SWE SOR wide blackouts when they are the result of force majeure. RCCs invoking a force majeure event cannot be held responsible or held liable for any damage suffered, due to the non-performance or faulty performance of all or part of their obligations, when such non-performance or faulty performance is caused by an event of force majeure.

Article 15 Pan-European rotation for CGM process

1. SWE RCC will carry out the building of CGM in a pan-European process on the basis of a pan-European rotation principle agreed at ENTSO-E level. The principles of this pan-European rotation for building of CGM are the following:
 - a) At least two RCCs shall participate to the CGM pan-European building process.
 - b) The organizational model related to participation to the CGM building process by the RCCs shall be based on a rotational principle on an agreed calendar date, with regular building and provision of a CGM by one main RCC and one backup RCC at all times.
 - c) Each RCC shall check the quality of the IGMs, according to Article 79(1) of the SO Regulation and to the relevant provisions included in the CACM Regulation and in the FCA Regulation.
 - d) At least two merged CGMs will always be created in parallel for each scenario/timeframe/timestamp, one by the main RCC and one by the backup RCC.
 - e) During the regular process only one merged CGM, delivered from the main RCC, shall be officially marked as CGM. In case, the main RCC cannot perform the function, the merged CGM delivered from the backup RCC shall be officially marked as CGM.
 - f) All relevant official tasks according to Article 37(1) of Regulation 2019/943 (both pan-European and regional) shall use as input the merged CGM officially marked as CGM.

Article 16 Pan-European rotation for OPC

1. TSOs of SWE SOR and SWE RCC will participate, as applicable, in outage planning coordination in a pan-European process on the basis of a pan-European rotation principle agreed at ENTSO-E level. The principles of this pan-European rotation for OPC are the following:
 - a) At least two RCCs shall participate to the OPC pan-European process.
 - b) The organizational model related to participation to the OPC pan-European process by the RCCs shall be based on a rotational principle on an agreed calendar date, with yearly and weekly merge of individual outage planning provided by TSOs by one main RCC and one backup RCC. The main RCC shall check the quality of the merge of individual outage planning provided by TSOs.

- c) The organizational model related to participation to the Relevant Asset Coordination process by the RCCs shall be based on a rotational principle on an agreed calendar date annexed to OPC rulebook, with identification and publication of the final list of Relevant Assets for Coordination by one main RCC and one backup RCC.
- d) In case the main RCC cannot perform the function, this role will be substituted by the backup RCC.

Article 17 Pan-European rotation for STA

1. Coreso will carry out week ahead to at least day-ahead system adequacy forecasts and preparation of risk reducing actions in a pan-European process on the basis of a pan-European rotation principle agreed at ENTSO-E level. The principles of this pan-European STA rotation are the following:
 - a) At least two RCCs shall participate to the STA pan-European process.
 - b) The organizational model related to participation to the STA pan-European process by the RCCs shall be based on a rotational principle on an agreed calendar date, with a cross-regional adequacy assessment performed by one main RCC and one backup RCC to highlight at ENTSO-E level the situations where a lack of adequacy is expected. In case of lack of adequacy or if requested by a TSO, the main RCC inform the relevant regional RCC to trigger the regional process.
 - c) In case main RCC cannot perform the function, this role will be substituted by the backup RCC.

Article 18 Language

1. The reference language for these SWE RCC Establishment Provisions shall be English. For the avoidance of doubt, where TSOs need to translate this document into their national language(s), in the event of inconsistencies between the English version and any version in another language the relevant TSOs shall, in accordance with national legislation, provide the relevant national regulatory authorities with an updated translation of these provisions.

Annexes

Annex I: Articles of Association of Coreso of March 29th, 2022, original and binding version in French and courtesy translation in English.