

**Grid Code  
Modification Proposal Form**

Email to [gridcode@eirgrid.com](mailto:gridcode@eirgrid.com)



**Title of Modification Proposal:**

MPID 290 - Incorporation of the HVDC Derogation Process into the Grid Code

**MPID (EirGrid Use Only): 290**

<b>Date:</b>	05 March 2021		
<b>Company Name:</b>	EirGrid		
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<b>Grid Code Version:</b>	9		
<b>Grid Code Section(s) Impacted by Modification Proposal:</b>	GC.9 Derogations		

**Modification Proposal Justification:**

Commission Regulation (EU) 2016/1447 of 26 August 2016 establishing a network code on requirements for grid connection of high voltage direct current systems and direct current-connected power park modules (hereafter referred to as HVDC). The HVDC aims to ensure fair conditions of competition in the internal electricity market, to ensure system security and the integration of renewable electricity sources.

This modification proposal paper covers the incorporation of the Derogation Process, as described in the HVDC Articles 77 to 83. This paper describes the requirements that Interconnector Owners and Generators who own DC-connected PPMs, the TSO and the CRU must comply with when applying for derogations.

Separately EirGrid will develop an EirGrid business process to support Interconnector Owners and Generators during the derogation procedure. Interconnector Owners and Generators should use the CNCD2 application form when requesting a derogation. The TSO will the CNCD3 application form to initiate HVDC class derogations. These forms are available on the [EirGrid website](#).

It is important to note that two separate derogation processes will apply for Interconnector Owners and Generators, depending on whether they are Non-HVDC or HVDC Units. Both procedures are described under Grid Code section GC.9 Derogations.

The Grid Code modification papers relating to the incorporation of the other exhaustive and non-exhaustive requirements of the HVDC are listed below for reference:

- MPID289 –Incorporation of HVDC requirements into GridCode
- MPID291 – Incorporation of the HVDC Operational Notification Process for Interconnectors into the Grid Code
- MPID292 - Incorporation of the HVDC Operational Notification Process for DC-connected PPMs into the Grid Code

For reference, the full text of the HVDC is available on the [ENSTO-E website](#).

When reading the red-line and green-line text below, please be aware that the process referred to in GC.9.1 applies to existing Users only, whereas the derogation procedure in GC.9.5 applies to Interconnectors and DC-connected PPMs only.

Formatting

EirGrid have continued the use of the “incorporative method” for the HVDC requirements, which was previously used to harmonise the RfG and DCC requirements with the Grid Code. This method uses a combination of symbols as

well as the enclosing of text in boxes to identify requirements that are:

1. Applicable to all users
2. Applicable to Non-HVDC Units only
3. Applicable to HVDC Units only

A more detailed description of the Incorporative methodology, as well as how it can be used for future versions of the Network Codes, is available in the document “**DemarcationAndFutureHarmonisationMethodology**”, as attached to the GCRP invitation email.

Finally, in order to maintain the usability of the Grid Code throughout the incorporative process for HVDC, where needed, EirGrid has updated the formatting and numbering of the relevant sections.

**Red-line Version of Impacted Grid Code Section(s) - show proposed changes to text:**

Deleted text in ~~strike-through red font~~ and new text highlighted in *blue font*

GC.9.1 The following process is for all **Users** except **RfG Generation Units** and **DCC Units** and **HVDC Units** and DC-Connected **PPMs**.

GC.9.5 **Interconnector** and DC-connected **PPM** Derogation Procedure



GC.9.5.1

Power to Grant Derogations

**CRU** may, at the request of an **Interconnector Owner, Generator**, or the **TSO**, grant an **Interconnector**, DC-connected **PPM** or the **TSO**, derogations from one or more **HVDC** clauses in the **Grid Code** for **HVDC Units** and **Non-HVDC Units** in accordance with GC.9.5.3 and GC.9.5.4. Derogations may be granted and revoked in accordance with GC.9.5.2, GC.9.5.3, GC.9.5.4 and GC.9.5.5 by authorities other than the **CRU**.

GC.9.5.2

General Provisions

GC.9.5.2.1

The criteria specified by **CRU** to assess derogations pursuant to GC.9.5.3 and GC.9.5.4 are specified in form CNCD2 and CNCD3 respectively.

GC.9.5.2.2

If **CRU** deems that it is necessary, due to a change in circumstances relating to the evolution of system requirements, it may review and amend, at most once every year, the criteria for granting derogations as referenced in GC.9.5.2.1. Any changes to the criteria shall not apply to derogations, for which a request has already been made.

GC.9.5.2.3

The **CRU** may decide, that **Interconnectors** or DC-connected **PPMs** for which a request for a derogation has been filed, pursuant to GC.9.5.3 or GC.9.5.4, do not need to comply with **HVDC Unit** clauses in the **Grid Code**, from which a derogation has been sought, from the day of filing the request, until the **CRU**'s decision is issued.

GC.9.5.3

Request for a Derogation by an **Interconnector Owner** or a **Generator**:

GC.9.5.3.1

An **Interconnector Owner** or a **Generator** may request a derogation from one, or several, **relevant** clauses in the **Grid Code**, for an **Interconnector** or a DC-connected **PPM**.

GC.9.5.3.2

A request for a derogation shall be filed with the **TSO**, using form CNCD2 and include:

- (a) an identification of **Interconnector Owner** or **Generator** and a contact person for any communications;
- (b) a description of the **Interconnector** or DC-connected **PPM** for which a derogation is requested;
- (c) a reference to the relevant clauses in the **Grid Code** from which a derogation is requested and a detailed description of the requested derogation;
- (d) detailed reasoning, with relevant supporting documents and cost-benefit analysis;
- (e) demonstration that the requested derogation would have no adverse effect on cross-border trade;
- (f) In the case of a DC-connected **PPM** connected to one or more remote-end **Interconnector Converter Stations**, evidence that the **Interconnector Converter Station** will not be affected by the derogation or; alternatively, agreement from the **Interconnector Converter Station Owner** to the proposed derogation.

	<p>In the case where a DC-connected <b>PPM</b> has, or will only have, a single connection to a single synchronous area (e) above will not apply. Within two weeks of receipt of a request for a derogation, the <b>TSO</b> shall confirm to the <b>Interconnector Owner</b> or <b>Generator</b> whether the request is complete. If the <b>TSO</b> considers that the request is incomplete, the <b>Interconnector Owner</b> or <b>Generator</b> shall submit the additional required information within one month, from the receipt of the request for additional information. If the <b>Interconnector Owner</b> or <b>Generator</b>, does not supply the requested information within that time limit, the request for derogation shall be deemed withdrawn.</p>	
GC.9.5.3.3	<p>The <b>TSO</b> shall assess the request for derogation and the provided cost-benefit analysis, taking into account the criteria determined by the <b>CRU</b> pursuant to GC.9.5.2.</p>	
GC.9.5.3.4	<p>Within six months of receipt of a request for derogation, the <b>TSO</b> shall forward the request to the <b>CRU</b> and submit the assessment(s) prepared in accordance with GC.9.5.3.3. That period may be extended by one month where the <b>TSO</b> seeks further information from the <b>Interconnector Owner</b> or <b>Generator</b>.</p>	
GC.9.5.3.5	<p>The <b>CRU</b> shall adopt a decision concerning any request for derogation within six months from the day after it receives the request. That time limit may be extended by three months before its expiry where the <b>CRU</b> requires further information from the <b>Interconnector Owner</b> or <b>Generator</b>, or from any other interested parties. The additional period shall begin when the complete information has been received.</p>	
GC.9.5.3.6	<p>The <b>Interconnector Owner</b> or <b>Generator</b> shall submit any additional information requested by the <b>CRU</b> within two months of such a request. If the <b>Interconnector Owner</b> or <b>Generator</b> does not supply the requested information within that time limit, the request for derogation shall be deemed withdrawn unless, before its expiry:</p> <ul style="list-style-type: none"> <li>(a) the <b>CRU</b> decides to provide an extension; or</li> <li>(b) the <b>Interconnector Owner</b> or <b>Generator</b> informs the <b>CRU</b> by means of a reasoned submission that the request for a derogation is complete.</li> </ul> <p>However, the <b>CRU</b> may attach conditions to the derogation including a condition that if the DC-connected <b>PPM</b> undergoes a development of a connection into a multi-terminal network or the connection of a further <b>PPM</b> at the same point this will cause the derogation to be re-evaluated by the <b>CRU</b> or to expire. The <b>CRU</b> shall take into account the need to optimise the configuration between the DC-connected <b>PPM</b> and the remote-end <b>Interconnector Converter Station</b>, as well as the legitimate expectations of the <b>Generator</b> when adopting a decision concerning a request for a derogation.</p>	
GC.9.5.3.7	<p>The <b>CRU</b> shall issue a reasoned decision concerning a request for derogation. Where the <b>CRU</b> grants a derogation, it shall specify its duration.</p>	
GC.9.5.3.8	<p>The <b>CRU</b> shall notify its decision to the relevant <b>Interconnector Owner</b> or <b>Generator</b> and the <b>TSO</b>.</p>	
GC.9.5.3.9	<p>The <b>CRU</b> may revoke a decision granting a derogation, if the circumstances and underlying reasons no longer apply, or upon a reasoned recommendation of the European Commission, or reasoned recommendation by ACER, pursuant to GC.9.5.6.2.</p>	

GC.9.5.4 Request for a Derogation by the TSO

GC.9.5.4.1 The **TSO** may request derogations for classes of **Interconnectors** or DC-connected **PPMs** connected, or to be connected, to their **Network**.

GC.9.5.4.2 The **TSO** shall submit its requests for derogations, using form CNCD3, to the **CRU**. Each request for a derogation shall include:

- (a) identification of the **TSO**, and a contact person for any communications;
- (b) a description of the **Interconnectors** or DC-connected **PPMs**, for which a derogation is requested and the total installed capacity and number of **Interconnectors** or DC-connected **PPMs**;
- (c) the relevant clauses in the **Grid Code** for which a derogation is requested, with a detailed description of the requested derogation;
- (d) detailed reasoning, with all relevant supporting documents;
- (e) demonstration that the requested derogation would have no adverse effect on cross-border trade;
- (f) a cost-benefit analysis.

GC.9.5.4.3 The **CRU** shall adopt a decision concerning a request for derogation within six months, from the day after it receives the request.

GC.9.5.4.4 The six-month time limit referred to in GC.9.5.4.3 may, before its expiry, be extended by an additional three months where the **CRU** requests further information from the **TSO** requesting the derogation or from any other interested parties. That additional period shall run from the day following the date of receipt of the complete information.

The **TSO** shall provide any additional information requested by the **CRU** within two months from the date of the request. If the **TSO** does not provide the requested additional information within that time limit, the request for derogation shall be deemed withdrawn unless, before expiry of the time limit:

- (a) the **CRU** decides to provide an extension; or
- (b) the **TSO** informs the **CRU** by means of a reasoned submission, that the request for derogation is complete.

GC.9.5.4.5 The **CRU** shall issue a reasoned decision concerning a request for derogation. Where the **CRU** grants a derogation, it shall specify its duration.

GC.9.5.4.6 The **CRU** shall notify its decision to the **TSO** and ACER.

GC.9.5.4.7 The **CRU** may lay down further requirements concerning the preparation of requests for derogation by the **TSO**. In doing so, the **CRU** shall take into account the delineation between the transmission system and the distribution system at the national level and shall consult with the **DSO**, the **Interconnector Owners**, **Generator** and stakeholders, including manufacturers.

GC.9.5.4.8 The **CRU** may revoke a decision granting a derogation, if the circumstances and underlying reasons no longer apply, or upon a reasoned recommendation of the European Commission, or reasoned recommendation by ACER, pursuant to GC.9.5.6.2

GC.9.5.5 Register of Derogations

GC.9.5.5.1 The **CRU** shall maintain a register of all derogations they have granted or refused and shall provide ACER with an updated and consolidated register, at least once every six months, a copy of which shall be given to ENTSO for Electricity.

GC.9.5.5.2 The register shall contain, in particular:

- (a) the requirement, or requirements, for which the derogation is granted, or refused;
- (b) the content of the derogation;
- (c) the reasons for granting, or refusing, the derogation;
- (d) the consequences resulting from granting the derogation.

GC.9.5.6 Monitoring of Derogations

GC.9.5.6.1 ACER shall monitor the procedure of granting derogations, with the cooperation of the **CRU**. The **CRU** shall provide ACER with all the information necessary for that purpose.

GC.9.5.6.2 ACER may issue a reasoned recommendation to the **CRU**, to revoke a derogation, due to a lack of justification. The European Commission may issue a reasoned recommendation, to the **CRU**, to revoke a derogation, due to a lack of justification.

GC.9.5.6.3 The European Commission may request ACER to report on the application of GC.9.5.6.1 and GC.9.5.6.2 and to provide reasons for requesting, or not requesting, derogations to be revoked.

**Green-line Version of Impacted Grid Code Section(s) - show proposed changes to text:**

GC.9.1 The following process is for all **Users** except **RfG Generation Units** and **DCC Units** and **HVDC Units** and DC-Connected **PPMs**.

GC.9.5 **Interconnector** and DC-connected **PPM** Derogation Procedure





GC.9.5.1

Power to Grant Derogations

**CRU** may, at the request of an **Interconnector Owner, Generator**, or the **TSO**, grant an **Interconnector**, DC-connected **PPM** or the **TSO**, derogations from one or more **HVDC** clauses in the **Grid Code** for **HVDC Units** and **Non-HVDC Units** in accordance with GC.9.5.3 and GC.9.5.4. Derogations may be granted and revoked in accordance with GC.9.5.2, GC.9.5.3, GC.9.5.4 and GC.9.5.5 by authorities other than the **CRU**.

GC.9.5.2

General Provisions

GC.9.5.2.1

The criteria specified by **CRU** to assess derogations pursuant to GC.9.5.3 and GC.9.5.4 are specified in form CNCD2 and CNCD3 respectively.

GC.9.5.2.2

If **CRU** deems that it is necessary, due to a change in circumstances relating to the evolution of system requirements, it may review and amend, at most once every year, the criteria for granting derogations as referenced in GC.9.5.2.1. Any changes to the criteria shall not apply to derogations, for which a request has already been made.

GC.9.5.2.3

The **CRU** may decide, that **Interconnectors** or DC-connected **PPMs** for which a request for a derogation has been filed, pursuant to GC.9.5.3 or GC.9.5.4, do not need to comply with **HVDC Unit** clauses in the **Grid Code**, from which a derogation has been sought, from the day of filing the request, until the **CRU**'s decision is issued.

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Request for a Derogation by an **Interconnector Owner** or a **Generator**:

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- (c) a reference to the relevant clauses in the **Grid Code** from which a derogation is requested and a detailed description of the requested derogation;
- (d) detailed reasoning, with relevant supporting documents and cost-benefit analysis;
- (e) demonstration that the requested derogation would have no adverse effect on cross-border trade;
- (f) In the case of a DC-connected **PPM** connected to one or more remote-end **Interconnector Converter Stations**, evidence that the converter station will not be affected by the derogation or; alternatively, agreement from the converter station owner to the proposed derogation.

	<p>In the case where a DC-connected <b>PPM</b> has, or will only have, a single connection to a single synchronous area (e) above will not apply. Within two weeks of receipt of a request for a derogation, the <b>TSO</b> shall confirm to the <b>Interconnector Owner</b> or <b>Generator</b> whether the request is complete. If the <b>TSO</b> considers that the request is incomplete, the <b>Interconnector Owner</b> or <b>Generator</b> shall submit the additional required information within one month, from the receipt of the request for additional information. If the <b>Interconnector Owner</b> or <b>Generator</b>, does not supply the requested information within that time limit, the request for derogation shall be deemed withdrawn.</p>	
GC.9.5.3.3	<p>The <b>TSO</b> shall assess the request for derogation and the provided cost-benefit analysis, taking into account the criteria determined by the <b>CRU</b> pursuant to GC.9.5.2.</p>	
GC.9.5.3.4	<p>Within six months of receipt of a request for derogation, the <b>TSO</b> shall forward the request to the <b>CRU</b> and submit the assessment(s) prepared in accordance with GC.9.5.3.3. That period may be extended by one month where the <b>TSO</b> seeks further information from the <b>Interconnector Owner</b> or <b>Generator</b>.</p>	
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GC.9.5.3.7	<p>The <b>CRU</b> shall issue a reasoned decision concerning a request for derogation. Where the <b>CRU</b> grants a derogation, it shall specify its duration.</p>	
GC.9.5.3.8	<p>The <b>CRU</b> shall notify its decision to the relevant <b>Interconnector Owner</b> or <b>Generator</b> and the <b>TSO</b>.</p>	
GC.9.5.3.9	<p>The <b>CRU</b> may revoke a decision granting a derogation, if the circumstances and underlying reasons no longer apply, or upon a reasoned recommendation of the European Commission, or reasoned recommendation by ACER, pursuant to GC.9.5.6.2.</p>	

GC.9.5.4 Request for a Derogation by the TSO

GC.9.5.4.1 The **TSO** may request derogations for classes of **Interconnectors** or DC-connected **PPMs** connected, or to be connected, to their **Network**.

GC.9.5.4.2 The **TSO** shall submit its requests for derogations, using form CNCD3, to the **CRU**. Each request for a derogation shall include:

- (a) identification of the **TSO**, and a contact person for any communications;
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- (c) the relevant clauses in the **Grid Code** for which a derogation is requested, with a detailed description of the requested derogation;
- (d) detailed reasoning, with all relevant supporting documents;
- (e) demonstration that the requested derogation would have no adverse effect on cross-border trade;
- (f) a cost-benefit analysis.

GC.9.5.4.3 The **CRU** shall adopt a decision concerning a request for derogation within six months, from the day after it receives the request.

GC.9.5.4.4 The six-month time limit referred to in GC.9.5.4.3 may, before its expiry, be extended by an additional three months where the **CRU** requests further information from the **TSO** requesting the derogation or from any other interested parties. That additional period shall run from the day following the date of receipt of the complete information.

The **TSO** shall provide any additional information requested by the **CRU** within two months from the date of the request. If the **TSO** does not provide the requested additional information within that time limit, the request for derogation shall be deemed withdrawn unless, before expiry of the time limit:

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GC.9.5.5 Register of Derogations

GC.9.5.5.1 The **CRU** shall maintain a register of all derogations they have granted or refused and shall provide ACER with an updated and consolidated register, at least once every six months, a copy of which shall be given to ENTSO for Electricity.

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- (a) the requirement, or requirements, for which the derogation is granted, or refused;
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GC.9.5.6 Monitoring of Derogations

GC.9.5.6.1 ACER shall monitor the procedure of granting derogations, with the cooperation of the **CRU**. The **CRU** shall provide ACER with all the information necessary for that purpose.

GC.9.5.6.2 ACER may issue a reasoned recommendation to the **CRU**, to revoke a derogation, due to a lack of justification. The European Commission may issue a reasoned recommendation, to the **CRU**, to revoke a derogation, due to a lack of justification.

GC.9.5.6.3 The European Commission may request ACER to report on the application of GC.9.5.6.1 and GC.9.5.6.2 and to provide reasons for requesting, or not requesting, derogations to be revoked.