

**Rules for the Intraday Allocation of Transmission Capacities  
at the Border of Bidding Zones of  
Independent system operator in Bosnia and Herzegovina  
("NOSBiH")  
and  
EMS AD Beograd ("EMS")**

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## Definitions

In *Rules for the Intraday Allocation of Transmission Capacities* (including annexes and forms), terms defined in this section (which refers also to the plural where necessary) have meanings stated in this section (unless the context requires otherwise).

<b>Auction Platform</b>	<b>ID</b>	Electronic web-based application (Auction Intra-Day ID platform) with limited access managed by the <i>Transmission Capacity Allocator</i> is available on the address <a href="https://scheduling.nosbih.ba/External-Scheduling-Client/">https://scheduling.nosbih.ba/External-Scheduling-Client/</a> . Intraday allocation carried out by the <i>Transmission Capacity Allocator</i> is performed via the <i>Auction ID Platform</i> .
<b>Emergency situations</b>		Conditions and/or events and/or circumstances which, based on an expert assessment of <i>NOSBiH</i> and/or <i>EMS</i> , put at risk the security of delivery, supply or transmission of electricity, or the technical security of the subject national transmission system or its most relevant part.
<b>Force Majeure</b>		Conditions, events, or circumstances that, as well as their consequences, are beyond the real control of <i>NOSBiH</i> or <i>EMS</i> , which cannot be prevented or overcome based on realistic predictions and actions, such as (not limited to international imposed free electricity flows) atmospheric phenomena that could not be avoided due to their cause of extent or duration, then, unexpected or unavoidable breakdowns, or limitation of operation of generation capacities, if <i>NOSBiH</i> or <i>EMS</i> can only take action against them endangering security of delivery and supply, as well as anything that cannot be solved by measures that <i>NOSBiH</i> or <i>EMS</i> can realistically take from a technical, financial or economic aspect.
<b>Daily auction</b>		Auction carried out in accordance with the Daily Auction Rules for the allocation of transmission capacities at the border of bidding zones of EMS AD Beograd (“EMS”) and Independent system operator in Bosnia and Herzegovina (“NOSBiH”).
<b>Allocated capacity</b>		<i>Capacity</i> allocated in yearly, monthly and daily auction procedures.
<b>Allocated intraday capacity</b>		<i>Capacity</i> obtained as a result of the auction procedure carried out by the <i>Transmission Capacity Allocator</i> in an intraday auction procedure as defined in Section 6 of the Intraday Capacity Allocation Procedure.
<b>Transmission Capacity Allocator</b>		<i>NOSBiH</i> (in function of the <i>Transmission Capacity Allocator</i> ). <i>NOSBiH</i> is subject to rights and obligations allocated to the <i>Transmission Capacity Allocator</i> .
<b>EIC code</b>		Identification code for energy entities, which serves to clearly identify entities in cross-border exchange.

	<i>EIC codes</i> are issued by local issuing offices and the list of issued codes is published on the <i>ENTSO-E</i> website <a href="https://www.entsoe.eu/fileadmin/korisnik_upload/edi/library/eic/cds/area.htm">https://www.entsoe.eu/fileadmin/korisnik_upload/edi/library/eic/cds/area.htm</a> .
<b>EMS (EMS AD Beograd)</b>	Company with the headquarters in Belgrade, Kneza Miloša 11, Serbia, registered with the Serbian Business Registers Agency under company number 20054182.
<b>ENTSO-E</b>	Association of European transmission system operators for electricity.
<b>Request</b>	<i>Request</i> that the <i>User</i> sends to acquire the right to the <i>Intraday ATC</i> .
<b>Bidding zone</b>	The largest geographical area within which market participants can exchange energy without allocating transmission capacity.
<b>Capacity Agreement Identification</b> (hereinafter referred to as: <b>CAI</b> )	Mark that uniquely identifies the right to capacity, or the right to intraday capacity.
<b>ITR (Interconnection Trade Responsible)</b>	Market participant recognised by <i>Transmission system operators</i> as responsible for reporting on the allocated capacity. It must be identified by the <i>EIC code</i> . On <i>EMS</i> side, it is a market participant with a valid contract on balance responsibility concluded with <i>EMS</i> . On <i>NOSBiH</i> side, it is a legal person that has entered into a contract on balance responsibility with <i>NOSBiH</i> and which has registered with <i>NOSBiH</i> for participation in <i>Auction</i> .
<b>Capacity</b>	Cross-border transmission capacity in MW.
<b>User</b>	Market participant meeting the preconditions for participating in the intraday capacity allocation procedure of at least one party ( <i>NOSBiH</i> and <i>EMS</i> ) in accordance with Article 3.1 of these Rules.
<b>First come - First serve method</b>	Allocation method whereby the <i>User's</i> requests up to the <i>Intraday ATC</i> values are processed solely based on the time of their receipt and without applying any other criteria.
<b>Nomination</b>	The obligation of the <i>User</i> to notify the <i>Transmission system operators</i> of its exchange plans expressed as the power of exchange in MW which moves up to the value defined by the allocated right to capacity, or which is equal to the value of the allocated right to intraday capacity.
<b>NOSBiH (Independent system operator in</b>	Legal person with the headquarters registered in Sarajevo, Bulevar Hifzi Bjelevca 17, Bosnia and Herzegovina, registered with the Central Register of

<b>Bosnia and Herzegovina)</b>	Business Entities of Bosnia and Herzegovina under company number: 08-50.3-7-3/05.
<b>Capacity Right Holder</b>	Legal person ( <i>User</i> ) that received intraday capacity during the intraday capacity allocation process.
<b>Limitation of allocated capacity</b>	<i>Capacity</i> reduction between <i>EMS</i> and <i>NOSBiH bidding zones</i> in the event of <i>Force Majeure</i> or in <i>emergency situations</i> when <i>EMS</i> and <i>NOSBiH</i> have to act urgently.
<b>Transmission system operator</b>	Legal person responsible for the operation, maintenance and, if necessary, development of transmission system in a particular area and, where applicable, its interconnections with other systems, as well as for ensuring the long-term ability of the system to meet the real needs for electricity transmission.
<b>Transmission System Operators</b>	<i>Transmission system operators</i> participating in a joint auction procedure, i.e. <i>NOSBiH</i> and <i>EMS</i> .
<b>Exchange Plan</b>	Cross-border transaction submitted by the <i>User</i> , stating the power in MW for each hour of a day.
<b>Rules for the Intraday Allocation of Capacity</b>	<i>Rules for the Intraday Allocation of Transmission Capacities</i> at the Border of Bidding Zones of Independent system operator in Bosnia and Herzegovina (“ <i>NOSBiH</i> ”) and Elektromreža Srbije AD Beograd (“ <i>EMS</i> ”).
<b>Right to capacity</b>	Right (of the <i>User</i> ) to use the <i>allocated capacity</i> for electricity transmission, stated in MW.
<b>Cross-border transaction</b>	Physical exchange of electricity between the <i>EMS</i> and <i>NOSBiH bidding zones</i> .
<b>Working day</b>	Calendar days from Monday to Friday, with the exception of public holidays in Bosnia and Herzegovina.
<b>Available intraday transmission capacity (hereinafter referred to as: “intraday ATC”)</b>	The portion of net transmission capacity (NTC) that remains available after the <i>daily auction procedure</i> (taking into account the effects of netting based on notification in opposite direction) and after each phase of the intraday auction procedure.
<b>CET</b>	Central European Time.
<b>Regulation EU 714/2009</b>	Regulation no. 714/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity.

## Section 1. Introduction

### Article 1.1. General Principles

*The Rules for the Intraday Allocation of Capacities* prescribe terms and conditions agreed between NOSBiH and EMS in the capacity of *transmission system operators* in their *bidding zones*, for the purpose of allocation and use of the *Intraday ATC* in both directions at the border Bosnia and Heryegovina – Serbia. The allocation and use of the *Intraday ATC* is not a commercially motivated activity but its purpose is to ensure a transparent congestion management method.

The Rules for the *Intraday Allocation of Capacities* govern the allocation and use of the *Intraday ATC*.

Intraday procedures described in these *Rules for the Intraday Allocation of Capacities* are in accordance with valid rules referring to transmission system security and they do not impact on the scope and use of capacity already allocated at yearly, monthly and daily auctions.

### Article 1.2. Procedure for the Allocation of Right to the Intraday Capacity

The *Intraday ATC* is allocated in the form of right to intraday capacity that *Capacity Right Holders* are obliged to use in the full amount. The *Transmission Capacity Allocator* allocates the *Intraday ATC*, by the *First come - First serve method*, in accordance with Section 6.

Within the *Rules for the Intraday Allocation of Capacities*, NOSBiH acts as the *Transmission Capacity Allocator* on behalf of NOSBiH and EMS.

NOSBiH and/or EMS, without prior notice, can at any time suspend or interrupt allocation procedures from the *Rules for the Intraday Allocation of Capacities* in cases such as, for example, those stated in Article 5.1 or Section 8.

All relevant information in accordance with Article 2.2 are available on the NOSBiH website ([www.nosbih.ba](http://www.nosbih.ba)).

### Article 1.3. General Aspects of the Rules for the Intraday Allocation of Capacities

*The Rules for the Intraday Allocation of Capacities* describe, inter alia, also conditions that market participants have to fulfil to be able to access and use the *Intraday ATC*. Limitation of responsibility is defined in Article 10.1. *The Transmission System Operators* may jointly amend the *Rules for the Intraday Allocation of Capacities* to improve or clarify provisions and procedures and fill in the gaps in accordance with Article 10.5.

*The Rules for the Intraday Allocation of Capacities* do not cover general aspects of access to *transmission system* aimed at using *allocated capacities*, unless otherwise prescribed in other provisions of these *Rules*. NOSBiH and EMS provide transmission services in accordance with legal obligations referring to access to *transmission system* in each *bidding zone* and valid rules on the operation of NOSBiH and EMS.

## Section 2. General Provisions

### Article 2.1. The Intraday ATC

The Methodology for calculating the *Intraday ATC* for the border Bosnia and Herzegovia – Serbia is based on the *ENTSO-E* methodology taking into account confirmed *Exchange Plans* by yearly, monthly and daily *capacity* and the netting effect.

### Article 2.2. Publishing Relevant Information on the NOSBiH Website

The following information shall be particularly published on the *NOSBiH* website:

- a) *The Rules for the Intraday Allocation of Capacities (valid version)*;
- b) names, fax and telephone numbers, email addresses of contact persons from *NOSBiH*;
- c) user manual for the *Auction ID Platform*;
- d) other relevant information.

### Article 2.3. Specification of the Intraday ATC

The *Intraday ATC* is offered as an integer value in MW, with the minimum value of 1 MW. The *Intraday ATC* is offered separately for each hour.

### Article 2.4. Guarantee of Allocated Intraday Capacities

The *Intraday ATC* is offered by rigid conditions, except in the case of limitation in *emergency situations* or due to *Force Majeure* after taking all other available measures in accordance with the corresponding national legislation.

In case of a limitation of *allocated capacity*, *NOSBiH* and *EMS* shall reduce the *allocated intraday capacity* in accordance with Section 9. The *User* is not entitled to a financial compensation referring to the *allocation intraday capacity*.

### Article 2.5. Secondary Market

The transfer of rights or resale of the allocation intraday capacity is not possible.

### Article 2.6. Payments

The *Capacity Right Holder* does not pay a fee for reservation or use of the *allocated intraday capacity*.



## Section 3. Conditions for Participation

### Article 3.1. Conditions for Registration

In order to participate in the *intraday capacity allocation* procedure and use the *allocated intraday capacity* arising from such procedure, a market participant has to act in accordance with all requirements stated in the *Rules for the Intraday Allocation of Capacities* and fulfil the following preconditions:

- **on NOSBiH side** – that the legal entity that has a License for the activity of international electricity trade issued by the State Electricity Regulatory Commission in Bosnia and Herzegovina and which has registered with the *NOSBiH* for participation in the allocation of capacity - Bosnia and Herzegovina *ITR*.
- **on EMS side** – to be a legal person or entrepreneur that signed a contract on balance responsibly with *EMS* (Serbian *ITR*).

The list of registered Bosnian and Herzegovian and Serbian *ITRs* for month M is published on the websites of *NOSBiH* ([www.nosbih.ba](http://www.nosbih.ba)) and *EMS* ([www.ems.rs](http://www.ems.rs)) at least three (3) working days before the first day of the month to which the notice refers.

A market participant is also obliged to send to *NOSBiH*, which has the role of *Transmission Capacity Allocator*, three signed copies of the Registration Form (see Annex 1) that includes also the statement on acceptance of the *Rules for the Intraday Allocation of Capacities*. Participants are obliged to submit an excerpt from the commercial register of businesses, as well as a taxpayer registration certificate, only in case they did not submit these documents during the process of registration for *daily auctions*. In case of changes in the data submitted during the registration process, the *Auction Participant* is obliged to submit updated versions of these documents.

Three signed copies of the Registration Form must be submitted to the *Transmission Capacity Allocator* in writing, via post, through delivery man/courier or in person (see Annex 2). The Registration Form shall not be considered presented if submitted via fax or email or if it is incomplete, of which the *Transmission Capacity Allocator* shall inform the applicant, with the statement of reasons why registration has not been performed.

The *Transmission Capacity Allocator* may ask an amendment to information submitted in the Registration Forms and their appendices within a reasonable time.

A notice on confirmation or non-acceptance of registration will be sent via email to the address inserted in the Registration Form.

A market participant is obliged to submit all required document at least five (5) working days before the planned participation in procedures for *intraday capacity allocation*. If this deadline is not met, *the Transmission System Operators* cannot guarantee participation in capacity allocation to this participant.

The registered market participant that fulfils all conditions stated in this Article shall be considered as the *User*.

### **Article 3.2. Notice of Changes**

Conditions for participation stated in the *Rules for the Intraday Allocation of Capacities* must be fulfilled at any moment during participation in intraday capacity allocation procedures. The *User* is obliged to immediately inform, in writing, both the *Transmission System Operators* on any changes affecting the fulfilment of certain conditions.

Changes in information on contact persons of the *User* and the *User's* statements indicated in forms have to be submitted to the *Transmission System Operators* in writing, within seven (7) days.

## **Section 4. Exclusion of the User**

Should the *User* in any way:

1. violate the *Rules for the Intraday Allocation of Capacities* (particularly, without limitation just to it, if it violates Section 6);
2. act to adversely affect, or it is a threat for, the competitiveness in intraday capacity allocation procedures;
3. declare bankruptcy, become insolvent, or if its payment was suspended;
4. become the subject of a claim for bankruptcy, insolvency or suspension of payment,

*NOSBiH* or *EMS* shall exclude such *User* without delay from intraday capacity allocation procedures, after confirmation by the other *Transmission System Operator*. The *User* will be notified immediately of the exclusion via fax and email.

## **Section 5. Auction ID Platform**

### **Article 5.1 General Conditions**

*The Transmission Capacity Allocator* will organise and carry out joint allocation of the *Intraday ATC* electronically in the *Auction ID Platform* user environment.

*The Transmission Capacity Allocator* will provide to *Users* documents of the *Auction ID Platform* (on the website <http://www.nosbih.ba>) and operational instructions relating to the use of the *Auction ID Platform*, as well as the user support.

*The Transmission Capacity Allocator* reserves the right to change the carrying out of business activities or suspend the process in justified cases, especially when the following technical problems arise: general collapse of the internet, collapse of all internet connections of the *Auction*

*ID Platform*, collapse of the *Auction ID Platform* (server, database, or error in the *Auction ID Platform* application) or system collapse to report work plans.

All *Users* of the *Auction ID Platform* shall be noticed without delay of the real operational situation.

The receipt of data will only be valid if the data is accepted in the *Auction ID Platform* before the set final deadline.

In order to participate in an auction procedure, it is necessary to submit a request through the *Auction ID Platform*. A *request* that does not meet one of the conditions specified in the *Rules for the Intraday Allocation of Capacities* will be rejected. The *User* will receive a message with the status of the request via the *Auction ID Platform*. The allocated intraday capacity cannot be modified or cancelled.

### **Article 5.2 Access to the Auction ID Platform**

The *Auction ID Platform* is available to all *Users* that have an internet browser and user account received by the *Transmission Capacity Allocator*. Additional installation or modification of software is not needed.

SSL / TLS (Secure Sockets Layer / Transport Layer Security) certificate is used to access the *Auction ID Platform*.

After the *User* is registered, its user account is opened on the *Auction ID Platform*. The *User* is obliged to submit an entirely filled and signed Request for Registration on the *Auction ID Platform* (see Annex 5). By signing this *Request*, the *User* accepts responsibilities and rules of conduct determined by the *Rules for the Intraday Allocation of Capacities*. The *Request* must contain complete and accurate information. The *Transmission Capacity Allocator* will form a user account and password within three (3) working days after receiving the Request for Registration on the *Auction ID Platform*.

Each *User* that has a user account shall be notified of the configuration or modification of user account via email to the contact address stated in the *Request*. Information sent by the *Transmission Capacity Allocator* via email shall include an input key that consists of a username and password when it comes to a new user account. The *User* is obliged to change the password during its first login.

The *Transmission Capacity Allocator* has the right to check information stated in the *Request* for Registration on the *Auction ID Platform* sent by potential *Users* and not to open a user account in case of any discrepancy between the stated data or doubt in their accuracy. If it determines any discrepancies, the *Transmission Capacity Allocator* has the right to unable access to the *Auction ID Platform* for the *User*.

The *User* is obliged to keep all information referring to access to the *Auction ID Platform* as personal and confidential and it shall be responsible for all direct or indirect damage that is a result of any unauthorised disclosure of such information. The *Transmission Capacity Allocator* is not responsible for any unauthorised use of username and password.

The *User* has one unique input key for intraday capacity allocations.

## Section 6. Intraday Capacity Allocation Procedure

### Article 6.1. Determining and Publishing the Intraday ATC

*NOSBiH* shall determine the *Intraday ATC* in each direction and for each hour, in accordance with the methodology described in Article 2.1.

The values of the *Intraday ATC* for day D will be available on the *Auction ID Platform* at latest at 18:00h (CET) on day D-1.

In case of additional limitations in transmission systems (which could not have been foreseen at the time of the monthly NTC calculation), the *Intraday ATC* values can be adjusted. *NOSBiH* has the right to amend the *Intraday ATC* on the *Auction ID Platform* during the day.

The *Intraday ATC* for a particular hour is reduced by the value of the already allocated intraday capacity for that hour and is published on the *Auction ID Platform*.

### Article 6.2. Allocation of the Intraday ATC

Only *Users* that have successfully registered and that have completely fulfilled the conditions defined in Section 3 may file the *Request* for *Intraday ATC*. The submission of the *Request*, as well as the takeover of results, is performed solely through the *Auction ID Platform*.

The *Request* (for day D) to *NOSBiH* shall be submitted via the *Auction ID Platform* starting at 18:00h (CET) on day D-1, not later than 60 minutes before the beginning of the first hour to which the intraday cross-border transaction relates. The minimum required capacity is 1 MW and the maximum is equal to the value of the *Intraday ATC*. Under one *Request*, only one capacity value may be required for one direction and one or more hours on day D.

### Article 6.3. Notice of Capacity Allocation Results

Each *User's* request will be processed in the *Auction ID Platform* by applying the *First come - First serve method*, and the *User* will be notified immediately via the *Auction ID Platform* of the result. In case the *Request* is accepted, the *User* will receive rights to capacity with *CAI*. *NOSBiH* and *EMS* will immediately authorise the *User* with *CAI* to exercise the right to intraday capacity (by entering intraday capacity right into systems for reporting work plans) and to allow reporting of work plans in accordance with local rules.

General information and results on the allocated intraday capacity for day D will be available on the *Auction ID Platform* no later than 18:00h (CET) on day D + 1.

## Section 7. Use of Allocated Intraday Capacity

*The Capacity Right Holder* and its cross-border partner (hereinafter referred to as: partner) or partners are obliged to use the entire amount of rights to intraday capacity. The allocated intraday capacity must be used not later than 60 minutes after obtaining the right to use, otherwise the *Capacity Right Holder* loses the right to the allocated intraday capacity. *The Capacity Right Holder* nominates allocated intraday capacity to *NOSBiH* and/or *EMS* using the “M: N” principle for reporting *Exchange Plans*. This principle implies that the reporting of intraday *Exchange Plans* based on allocated capacity is realised through one or more transactions per direction, with one or more cross-border partners, with one of the participants in the transaction always being the *Capacity Right Holder*. In this case, the nominated capacity value is equal to the right to intraday capacity obtained during the intraday process for each hour and direction and this value fully corresponds to the partner nomination. This obligation is followed and monitored by the *Transmission Capacity Allocator*.

*The Capacity Right Holder* that violates the obligation to use all allocated capacity three (3) times during one (1) calendar year loses the right to participate in the allocation of intraday capacity for a period of three (3) months, as notified by the *Transmission Capacity Allocator*. An obligation is considered to be violated when the *Capacity Right Holder* (or its partner) fails to use (or use in part) the allocated capacity for at least one (1) hour in the period for which it was granted. Each hour in which the right to intraday capacity is not exercised is considered a violation of the obligation. The loss of rights shall occur on the date stated in the notice, which may be the earliest day after the *Transmission Capacity Allocator* receives a request from the *Transmission System Operators*.

Reserved transmission capacities are used by the submission of *Exchange Plans* to *NOSBiH* and *EMS*, in accordance with the prescribed conditions for transmission system access in each *bidding zone* and the applicable *NOSBiH* and *EMS* market rules.

### Article 7.1. Nomination of Allocated Intraday Capacity

Nomination of intraday *Exchange Plans* shall be made by the *Capacity Right Holder* and one or more of its partners through the existing systems for reporting the *Exchange Plans* of both *Transmission System Operators*, in accordance with local rules.

The nomination must be completed at least 45 (forty-five) minutes (H-00: 45h) before the start of the first hour (H) for which an intraday *Exchange Plan* has been nominated.

The nomination must be made with both *Transmission System Operators*.

The same rules and data formats are used for the process of reporting *Exchange Plans* as for reporting daily *Exchange Plans* and plans based on monthly and yearly capacity rights.

Cancellations of programmes already nominated and confirmed must be made by nomination in the opposite direction for hours to which the cancellation refers. This nomination should be made no later than 45 minutes before the cancellation begins.

## Article 7.2. Intraday Harmonisation Rules

Intraday harmonisation is performed after each intraday capacity allocation and each new nomination.

Harmonisation between the *Transmission System Operators* will be made between H-0h 45min and H-0h 30min before the start of the first hour of nominated intraday *Exchange Plans*, and confirmation of the nomination will be made no later than H-0h15min.

Harmonisation is done for the entire day.

The reported intraday *Exchange Plan* may be fully accepted or rejected in accordance with the results of the harmonisation.

If there is no confirmation of compliance with the Nomination by H – 0h30min, all reported intraday *Exchange Plans* associated with that *Nomination* are reduced to a lower value.

In case of discrepancy between intraday *Exchange Plans* declared on both sides of the border, *NOSBiH* and *EMS* have the right to change and/or set lower value on the reported intraday *Exchange Plans*. In no event will *NOSBiH* and/or *EMS* be liable for any loss of profit, business loss, or any other indirect, incidental, special or consequential damages.

## Section 8. Cancellation of Intraday Capacity Allocation Procedures

In case of emergency situation or *Force Majeure*, after *NOSBiH* and *EMS* take all available measures in accordance with national legislation, the *Transmission Capacity Allocator* may cancel an intraday capacity allocation or reduce the *Intraday ATC* values. In these cases, the *Intraday ATC* values for the corresponding hours are immediately set to 0 or another agreed value. The *Intraday ATC* remains unchanged until both *Transmission System Operators* agree to withdraw intraday procedure cancellation or *Intraday ATC* reduction.

An intraday allocation procedure may be cancelled or terminated due to serious disturbances in functioning of the internet, the *Auction ID Platform* and other information systems used by *NOSBiH* or *EMS* in the intraday process and there will be no financial compensation to the *Capacity Right Holder* envisaged in case of inability to use allocated capacity.

In case of these circumstances, *NOSBiH* will, if possible, notice all *Users* with an information on its website.

## Section 9. Limitation of Capacity

In case of limitation of allocated capacities, the following order of capacity reduction is used:

1. *Capacity* allocated in intraday allocation capacity;
2. *Capacity* allocated in a daily auction;
3. *Capacity* promised and allocated in a monthly auction;

4. *Capacity* promised and allocated in a yearly auction;

Within each of the above capacity groups, a proportional reduction will be used whereby the reduced capacity will be rounded to a lower integer value in MW.

*NOSBiH* and/or *EMS* are obliged to immediately inform the *Capacity Right Holder* affected by this and its partner about the reduction.

The *Capacity Right Holder* is not entitled to financial compensation for the reduction of capacity allocated to it in the intraday capacity allocation process.

## Section 10. Miscellaneous

### Article 10.1. Limitation of Responsibility

The *Transmission System Operators*, either jointly or separately, shall not be liable to the *Capacity Right Holder* for any damages resulting from its participation or its inability to participate in the intraday capacity allocation process. The *Capacity Right Holder* shall exempt the *Transmission System Operators*, jointly and severally, of third party claims relating to such damages. Neither *NOSBiH* nor *EMS* shall in any event be liable for any possible loss of profits, business loss, or any other indirect, incidental, special or consequential damages.

*NOSBiH* and *EMS* undertake to implement the provisions of the Rules for the *Intraday Allocation of Capacities* professionally as business entities and *bidding zone* operators, in accordance with the *EU Regulation* and the laws and regulations adopted by the competent authorities of Bosnia and Herzegovina and Serbia.

### Article 10.2 Force Majeure

*NOSBiH* or *EMS* shall not be held responsible for default, misconduct or delay in the fulfilment of obligations arising from the *Rules for the Intraday Allocation of Capacities*, to the extent that such default, misconduct or delay in the fulfilment of obligations occurred due to circumstances on which the party having obligations could not impact (including, but not limited to, *Force Majeure*) and for which the relevant party is not responsible, that is, circumstances that cannot be solved by measures that *NOSBiH* or *EMS* can realistically take from a technical, financial or economic point of view.

### Article 10.3. Severability

Notwithstanding the specific provisions contained in the *Rules for the Intraday Allocation of Capacities*, no modification of the contract between *NOSBiH* or *EMS* on the one hand and the *User* on the other may not be performed unless confirmed, made and submitted in writing by *NOSBiH* and *EMS* by fax or email. Should any part of the *Rules for the Intraday Allocation of Capacities* or their Annexes become invalid, illegal or unenforceable, the remaining parts must remain in force and apply and should not be affected. Any invalid, illegal or unenforceable part or provisions

must be replaced by valid, lawful and applicable parts or provisions in order to achieve the intended economic and legal effect as soon as possible.

#### **Article 10.4. Data Confidentiality**

While operating under the *Rules for the Intraday Allocation of Capacities*, *NOSBiH* or *EMS* and related parties may receive or have access to *Users* confidential data. Confidential data includes all information submitted in writing marked as "Confidential", but also information in some other form if the person to whom such information was given, before or when disclosing that information, was pointed out that these are confidential data. *NOSBiH* and *EMS* agree that confidential data is kept and not disclosed without the prior consent of the *User*, or, that confidential data, in any form, is not made available to any third party or that confidential data is not used for any purpose which is not related to the provisions of the *Rules for the Intraday Allocation of Capacities*, except by order of state authorities.

The provisions of this Article shall not apply to data disclosed to *NOSBiH* or *EMS*, if:

- these data were publicly known before the disclosure, or if they become publicly known after the disclosure, but not by mistake of *NOSBiH* and *EMS*,
- they were already known by *NOSBiH* and *EMS* before the disclosure,
- data were received by *NOSBiH* and *EMS* from a third party, which does not have the obligation towards the *User* to keep the confidentiality of these data, after the disclosure.

#### **Article 10.5. Validity Period, Amendments**

The *Rules for the Intraday Allocation of Capacities* shall enter into force after approval by the competent regulatory authorities and shall apply for capacity allocation for 2022 and further in both directions at the border Bosnia and Herzegovina – Serbia.

Any amendments or modifications to the *Rules for the Intraday Allocation of Capacities* shall be communicated to the *User* by publishing an appropriate new version of these Rules on the websites of *NOSBiH* and *EMS*. Such notices must include information on the articles that have been amended or modified and the date on which the new version of the *Rules for the Intraday Allocation of Capacities* will come into force. Unless stated in the appropriate new version of the *Rules for the Intraday Allocation of Capacities*, as a rule, no new registration is required and the *Users* accept the new *Rules for the Intraday Allocation of Capacities* by further participation in the intraday capacity allocation process.

#### **Article 10.6. Applicable Laws and Dispute Resolution**

All disputes between *NOSBiH* and the *User* arising from the *Rules for the Intraday Allocation of Capacities* shall be solved solely by the laws of Bosnia and Herzegovina.



**Article 10.7. Notices**

Unless otherwise provided in the *Rules for the Intraday Allocation of Capacities*, any notices issued under the *Rules for the Intraday Allocation of Capacities* must be in writing and sent to the addresses listed in Annex 2.

**Article 10.8. List of Annexes**

- Annex 1      Registration Form
- Annex 2      List of Contact Persons
- Annex 3      Deadlines for Intraday Procedures
- Annex 4      Registration on the Auction ID Platform

Annexes 1-4 constitute an integral part of these Rules.

## Annex 1. Registration Form

The Registration Form for participation in the intraday capacity allocation process at the Bosnia and Herzegovia - Serbia border for period 01.01.20\_\_ year - 31.12.20\_\_ year

<b>Company/Entrepreneur name</b>	
<b>EIC-code</b>	
<b>Address, country</b>	
<b>Business register number</b>	
<b>Name and surname of authorised representative</b>	
<b>VAT number</b>	
<b>ID number / TIN</b>	
<b>E-mail</b>	
<b>Phone No.</b>	
<b>Fax No.</b>	

We hereby declare that we intend to participate in the intraday capacity allocation process at the border Bosnia and Herzegovia – Serbia. We fulfil all the participation conditions prescribed by Rules for the Intraday Allocation of Capacities. We have read and fully accept all obligations in accordance with the terms and conditions laid down in the Rules for the Intraday Allocation of Capacities published on the website of the Transmission System Operator and we undertake to comply with them.

We acknowledge that the acceptance of our participation in the intraday capacity allocation process may be withdrawn if the provisions of the Rules for the Intraday Allocation of Capacities are violated.

On behalf of market participant

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

Independent system operator in Bosnia and Herzegovina approves the Registration Form and registers this Form under the registration number: \_\_\_\_\_

On behalf of NOSBiH

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

**Appendix to Annex 1**

**List of authorised representatives of the User**

The User appoints the following persons as authorised for acting on behalf of the User:

- for signing the Registration Form

<b>Name</b>	<b>Phone No.</b>	<b>Mob. No.</b>	<b>Fax No.</b>	<b>E-mail</b>

- for submitting the Request for Intraday ATC to the Transmission Capacity Allocator

<b>Name</b>	<b>Phone No.</b>	<b>Mob. No.</b>	<b>Fax No.</b>	<b>E-mail</b>

## Annex 2. List of Contact Persons

Market participants must submit the **Registration Forms** (see Annex 1) to the Transmission Capacity Allocator to the following address:

### Independent system operator in Bosnia and Herzegovina

**Hifzi Bjelevca 17**  
**71000 Sarajevo**  
**Bosnia and Herzegovina**

For personal deliveries to the above address, the Archive works on working days from 09:00 do 14:00h (CET).

The certificate issued by the Archive of the Auction Office confirms just the date and time of the receipt of document, and not if the document is accurate and complete.

For other questions, Users may address the Transmission Capacity Allocator through the following contact persons:

### Rules for the Intraday Allocation of Capacities

Name	Phone No.	E-mail	Fax No.
Bojan Rebić	+387 33 720 458	<a href="mailto:b.rebic@nosbih.ba">b.rebic@nosbih.ba</a>	+387 33 720 495

### User registration

Name	Phone No.	E-mail	Fax No.
Dženeta Erović	+387 33 720 434	<a href="mailto:dz.erovic@nosbih.ba">dz.erovic@nosbih.ba</a>	+387 33 720 405
Vera Kapetina	+387 33 720 445	<a href="mailto:v.kapetina@nosbih.ba">v.kapetina@nosbih.ba</a>	

### Questions relating to the intraday capacity allocation process (00:00-24:00)

	Phone No.	E-mail	Fax No.
Department for Operational Control	+387 33 720 497	<a href="mailto:dispecer@nosbih.ba">dispecer@nosbih.ba</a>	+387 33 720 495

### Annex 3. Deadlines for Intraday Procedures

The timetable for each hour of the intraday process is described in the following table (H is the intraday hour of day D)

<b>Intraday period</b>	<b>00:00-24:00</b>	<b>01:00-24:00</b>	<b>02:00-24:00</b>	<b>.....</b>	<b>23:00-24:00</b>
The Intraday ATC is available on the Auction ID Platform (Note: it is constantly updated)	18:00 (D-1)	18:00 (D-1)	18:00 (D-1)		18:00 (D-1)
Time for Request submission (T)	18:00 (D-1)- 23:00 (D-1)	18:00 (D-1)- 24:00 (D-1)	18:00 (D-1)- 01:00	.....	18:00 (D-1)- 22:00
Nomination time	T+60min	T+60min	T+60min	.....	T+60min
Confirmation of final nominations of the Serbian and Bosnian and Herzegovian ITR	23:45 (D-1)	00:45	01:45	.....	22:45
Publishing of results of intraday capacity allocation	18:00 (D+1)	18:00 (D+1)	18:00 (D+1)		18:00 (D+1)

Information systems used by the Transmission System Operators in the intraday process are not available in the period from 23:50 to 00:10.

## Annex 4. Registration on the Auction ID Platform

### Market participant

<b>Full name:</b>	
<b>EIC code:</b>	
<b>Authorised person:</b>	

Market participant requires:

- setup
- modification
- deletion

of the user account on the Auction ID Platform for the following user:

### User

<b>Name and surname:</b>		
<b>E-mail</b>		
<b>Phone No.</b>		
<b>E-mail</b>	<b>Sends</b>	<b>Receives</b>
for ECAN file sharing with allocation platform:		

Based on the capacity allocation rules, the content of which is known to the above user, the user is authorised to perform operations on the Auction ID Platform in accordance with the rights of the user and in that case represents the above market participant.

The login information (username and password) will be sent to the user at the above email address (e-mail) and he/she is obliged to change the password upon first login

Date \_\_\_\_\_

\_\_\_\_\_

Authorised person of market participant

\_\_\_\_\_

User