

**Memorandum of Understanding
on the modelling of data exchange for
the liberalised electricity Internal European Market**

between

ENTSO-E, the European Network of Transmission System Operators for Electricity, an International non-profit association incorporated under the laws of Belgium, having its registered office at Avenue de Cortenbergh 100, B-1000 Brussels, Belgium, with registration number 809.819.049, hereby represented by Konstantin Staschus, ENTSO-E Secretary General ("ENTSO-E").

and

ebIX[®], the European Forum for energy Business Information eXchange, hereby represented by Marc de Zwaan, TenneT TSO B.V.), Chairman of ebIX[®] Forum ("ebIX[®]").

Whereas:

- (1) Pursuant to the adoption by the European Parliament and the European Council on 13 July 2009 of the third legislative package on the EU gas and electricity markets, ENTSO-E was established in December 2008 in Brussels as an International non-profit association by 41 European Transmission System Operators ("TSOs") as a successor of six regional associations of the electricity system operators (ETSO, ATSOI, UKTSOA, NORDEL, UCTE and BALTSO).
- (2) According to Article 12 (e) of Directive 2009/72/EC each TSO shall be responsible for providing to the operator of any other system with which its system is interconnected sufficient information to ensure the secure and efficient operation, coordinated development and interoperability of the interconnected system.
- (3) In order to ensure a proper accomplishment of tasks assigned by Regulation 714/2009 with regard to the completion and functioning of internal market in electricity and cross-border trade, ENTSO-E shall define the necessary data interchange between market participants.
- (4) ENTSO-E intends to establish and maintain standardized ways of communication between the different information systems, as well as to define the quality criteria, the accuracy and the format of the fundamental data to be provided, in close cooperation with the data providers and the primary owners of the data.
- (5) The purpose of ebIX[®] is to advance, develop and standardize the use of electronic information exchange in the energy industry.
- (6) ebIX[®] focuses on the harmonisation of data exchange for electricity and gas between the various roles in the liberalised European energy market.

(7) ebIX[®] pursues this goal by using international and open standards for the creation of a technology independent model representing common generic data exchange processes as suitable for implementation in energy data management software. ebIX[®] deals with business or administrative data.

(8) ebIX[®] will follow the rules of the European Union where applicable.

1. Objective

Having in mind the common objective pursued by both ENTSO-E and ebIX[®] to enable efficient and seamless data exchanges within the liberalized European electricity market, this Memorandum of Understanding ("MoU") describes the collaboration activities which would be performed by the technical Working Group ("tWG"), a working group composed of ENTSO-E and ebIX[®] representatives.

The mission, scope and activities, organisation and working structure as well as decision making procedure of the tWG are contained in Annex (1) to this MoU of the technical Working Group ebIX[®]/ ENTSO-E ("ToR of the tWG").

The ToR of the tWG are attached and form integral part of this MoU.

2. Scope and mode of the collaboration activities

- (1) ENTSO-E and ebIX[®] consider respectively the necessity of standardisation of the electronic information exchanges, consequence of the European Electricity market growth.
- (2) ENTSO-E and ebIX[®] are willing to improve efficiency by avoiding duplication of work or work with slight differences.
- (3) ENTSO-E and ebIX[®] are interested in combining their respective modeling results into one harmonized data model.
- (4) ENTSO-E and ebIX[®] consider that an open dialogue to communicate on electricity market data exchange issues and mutually beneficial cooperative activities would benefit to a liberalized European electricity market
- (5) ENTSO-E and ebIX[®] may exchange, free of charge, non-proprietary information related to electricity market design, issues in areas of mutual interest. .
- (6) ENTSO-E and ebIX[®] will continue to co-operate on the harmonized role model within the Harmonization Group of the ENTSO-E Working Group EDI.
- (7) ENTSO-E and ebIX[®], upon mutual agreement, may publicize their collaboration under this MoU, via press releases or other vehicles that serve to raise awareness of the mutual efforts towards implementing efficient and seamless data exchanges within the liberalized European electricity market.

- (8) ENTSO-E and ebIX acknowledge that ENTSO-E copyright shall protect any common work. Nevertheless, each common work will bear the ENTSO-E and ebIX[®] logo.

3. Entry into force- Duration- Review

This MoU supersedes and replaces the previous Memorandum of Understanding concluded between ebIX[®] and ETSO and signed respectively on 28 June 2006 (for ebIX[®]) and on 19 July 2006 (for ETSO).

This MoU (including its annex) shall enter into force as from the date of its signature by appropriate representatives of ENTSO-E and ebIX[®].

A review of the activities carried out by the tWG shall be made before December 15, 2013 in order to assess the future collaboration.

Irrespective of the above, this MoU can be reviewed at the request of either side and amended at any time by mutual written concurrence of its signatories.

Both ENTSO-E and ebIX[®] retain the right to terminate this MoU at its discretion by giving written notice to the other Party. As a consequence of termination, each party shall cease from distributing any information relative to joint activities associated with this MoU. Termination of this MoU shall not give right to any compensation.

4. Miscellaneous

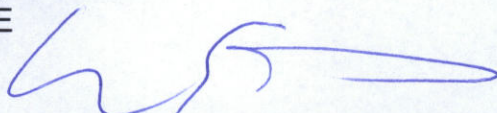
This MoU is non-binding and shall not be construed to create any legal obligation on the part of either Party.

In particular, ENTSO-E and ebIX[®] acknowledge that nothing in this MoU:

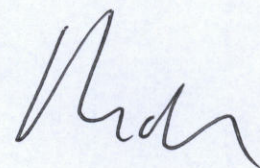
- (1) is a commitment of financial resources by either ENTSO-E or ebIX[®];
- (2) is intended to create an exclusive relationship between ENTSO-E and ebIX[®];
- (3) will restrict either Party's individual interactions with third parties on the collaboration activities covered by this MoU; or
- (4) shall be construed as giving any priority right on future collaboration with any other actors of the European electricity market. ENTSO-E and ebIX[®] remain free to decide on the data exchanges, irrespectively of the collaborative activities performed pursuant to this MoU.

Date of signing: 17 August 2011

Konstantin Staschus
Secretary General
ENTSO-E



Marc de Zwaan
TenneT TSO B.V.
Chairman
ebIX® Forum



Annex (1): Terms of Reference of the technical Working Group ebIX® / ENTSO-E
(ToR of the tWG)