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## Unlocking Flexibility with Law

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# UNLOCKING FLEXIBILITY WITH LAW

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## Developing a Legal Framework for Smart Electricity Systems

1. “Smart Electricity Systems” (SES) can better be understood by their primary objectives and functionalities than by asserting a universally applicable legal definition.
2. Principles underlying the current EU legal framework of the electricity market need to be reassessed against the background of the technical and economic options of SES.
3. The rationale to “ensure supply at all times at affordable costs” does not apply in SES which incorporate demand flexibility as the core value for system operation and supply.
4. SES functionalities change system users into market participants who can no longer be qualified by predetermined user categories (producer or consumer), but by their ability and willingness to react to dynamic prices, i.e. their flexibility-profile.
5. A legal framework for SES needs to incorporate price dynamic distribution network tariffs which correspond to the different time- and location-dependent needs of the system users.
6. Enabling system users to engage in self-determined market interactions based on their flexibility profile requires adjusting the current universal legal regime protecting energy consumers towards a more individualised protection regime.
7. In addition to the current coordination between system users and the transmission system operator, SES also require a high level of coordination between system users and the distribution system operators and amongst system users inter se at distribution system level.
8. Life is for participating, not for spectating. (Kathrine V. Switzer, first female runner at Boston Marathon in 1967).