



Demand response and the new electricity market design – consumer empowerment and protection

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Article 13 – Aggregation contract

1. Member States shall ensure that **all customers** are free to purchase and sell electricity services, including aggregation, other than supply, independently from their electricity supply contract and from an electricity undertaking of their choice.
2. Member States shall ensure that, where a **final customer** wishes to conclude an aggregation contract, the **final customer** is entitled to do so without the consent of the final customer's electricity undertakings.

Member States shall ensure that market participants engaged in aggregation fully inform **customers** of the terms and conditions of the contracts that they offer to them.

3. Member States shall ensure that **final customers** are entitled to receive all relevant demand response data or data on supplied and sold electricity free of charge at least once every billing period if requested by the customer.
4. Member States shall ensure that the rights referred to in paragraphs 2 and 3 are granted to **final customers** in a non-discriminatory manner as regards cost, effort or time. In particular, Member States shall ensure that customers are not subject to discriminatory technical and administrative requirements, procedures or charges by their supplier on the basis of whether they have a contract with a market participant engaged in aggregation.

Article 17 – Demand response through aggregation

1. Member States shall allow and foster participation of demand response through aggregation. Member States shall allow **final customers**, including those offering demand response through aggregation, to participate alongside producers in a non-discriminatory manner in all electricity markets. [...]

3. Member States shall ensure that that their relevant regulatory framework contains at least the following elements:
 - a) the right for each market participant engaged in aggregation, including independent aggregators, to enter electricity markets without the consent of other market participants;

 - c) non-discriminatory and transparent rules and procedures for the exchange of data between market participants engaged in aggregation and other electricity undertakings that ensure easy access to data on equal and non-discriminatory terms while fully protecting commercially sensitive information and **customers'** personal data; [...]

 - e) provision for **final customers** who have a contract with independent aggregators not to be subject to undue payments, penalties or other undue contractual restrictions by their suppliers;