EECS Electricity

Domain Protocol

for

Germany

Prepared by Umweltbundesamt (UBA)

Based on EECS Rules Release 7 v6

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Document Control

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1			

Change History

Version	Description
1	
1.2	Amended as requested by the reviewers in their Audit report
1.3	Format corrected (headlines of second degree), checked against cross reference matrix and amended as appropriate.
2	Approved by GM Edinburgh after audit

Contents

A Introduction

The framework specified in the EECS Rules and the detailed procedures and conditions specified in this Domain Protocol have the main objective of ensuring robustness and transparency in the facilitation of EECS Schemes for all EECS Participants.

A Domain Protocol promotes quality and clarity, as it:

- makes local rules transparent;
- provides clear information to all stakeholders (consumers, market parties, other members, government, the EU Commission etc.);
- facilitates assessment of compliance and permissible variance from the EECS Rules;
- facilitates audit; and
- translates local rules into a single format and language, supporting each of the above.

This document provides a standard base to be used for domain protocols. Grey background text (such as this) is provided for guidance to Members and must be removed before publication. It is strongly recommended that the structure and format of this template is followed. Text in square brackets must be replaced with the specific name applicable to the domain protocol.

Important contact information is provided in Annex 1.

B General

B.1 Scope

This section must demonstrate compliance with the following EECS Rules:

C3.1.1	*E6.2.1a*	*E6.3.1*	*E6.3.2*	*N2.1.1*		

It must describe:

- *the legal definition of the domain*
- *electrical connection of devices to be in the domain*
- *the EECS Scheme and EECS Product(s) which apply*
- *proof that the Member has the authority to issue certificates (law reference)*

The following section(s) must be included in a Domain Protocol.

B.1.1. This Domain Protocol sets out the procedures, rights and obligations, which apply to the Domain of Germany and relate to the EECS Electricity Scheme as defined in the EECS Rules.

B.1.2. Production Device qualification for this Domain will be determined by connection to the electricity system of Germany such that, in electrical terms, the Production Device is effectively located in Germany.

B.1.3. The Umweltbundesamt (Federal Environment Agency, UBA) is authorised to Issue EECS Certificates relating to the following EECS Product(s):

- EECS-GO for electricity from renewable energy sources only

B.2 Status and Interpretation

This section must demonstrate compliance with the following EECS Rules:

E6.2.1d	*E6.3.1*	*E6.3.4*				

It must describe:

- *the status of EECS Rules in relation to:*
  - *national legislation*
  - *this domain protocol*
- *the provision for minor variations in C5*
- *the relationship between the domain protocol and the Standard Terms*
- *the precedence of the English version of the DP*

The following section(s) must be included in a Domain Protocol.

B.2.1. The EECS Rules are subsidiary and supplementary to national legislation.

B.2.2. The EECS Rules and its subsidiary documents are implemented in [domain] in the manner described in this Domain Protocol. Any deviations from the provisions of the EECS Rules that may have material effect are set out in section C.5 of this document.

B.2.3. The capitalised terms used in this Domain Protocol shall have the meanings ascribed to them in the EECS Rules except as stated in section C.5 of this document.

B.2.4. The content of this Domain Protocol is made binding between the EECS Participant and UBA by national legislation, especially the GO and Regional GO Implementing Ordinance (Herkunfts- und Regionalnachweis-Durchführungsverordnung – HkRNDV) An English translation of the GO and Regional GO Implementing Ordinance is not yet available, however the Ordinance has only been renamed so the translation of the former GO Implementing Ordinance can still be used: http://www.umweltbundesamt.de/sites/default/files/medien/376/dokumente/implementing_ordinance_on_guarantees_of_origin_for_electricity_2014_0.pdf).

There're no contracts between UBA and EECS Participants and no STCs. Legal relationship is determined by law. Therefore the DP itself is not made binding between UBA and our users. However, indirectly it is effective towards our users because we align the legal foundations of our work and our administrative practice with the

requirements laid down in the EECS Rules. If such alignment is not feasible a deviation from the EECS Rules will be notified under Section C.5 of this DP.

Concerning liability Art. 34 of the German Basic Law (http://www.gesetze-im-internet.de/englisch_gg/index.html) is applicable.

B.2.5. In the event of a dispute, the approved English version of this Domain Protocol will take precedence over a local language version.

B.3 Roles and Responsibilities

This section must demonstrate compliance with the following EECS Rules:

C3.1.1	*E6.2.1c*					

It must describe:

- *the principal roles in the domain (including at least production registrar, measurement body, production auditor as applicable)*
- *the names of the providers of those roles*
- *where the registry and/or forms can be found*
- *where the tariff for services can be found*

The following section(s) must be included in a Domain Protocol.

B.3.1. The Authorised Issuing Body for EECS GOs in Germany is UBA. Its role is to administer the EECS Registration Database and its interface with the EECS Transfer System.

Since January 1st 2013 UBA operates the Registry of Guarantees of Origin for Renewable Energy Sources (Herkunftsnachweisregister – HKNR). From that date UBA is the sole competent body in Germany to issue, transfer and cancel GOs from Renewable Energy Sources.
Founded in 1974, UBA is Germany's central federal authority on environmental matters. It is a scientific environmental authority under the jurisdiction of the Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety, responsible for the most diverse range of topics.

The interim period for handling GO for RES-E production before end of 2012 ended on 31st December 2013. By that date, Öko-Institut has resigned as Authorised Issuing Body for EECS-GOs.

UBA operates an electronic database (as regulated by law), called the Herkunftsnachweisregister, hereafter referred to as HKNR.

All procedures within the HKNR are regulated by the following laws, regulations and documents:

- the Renewable Energy Sources Ordinance (Erneuerbare-Energien-Verordnung - EEV)
http://www.gesetze-im-internet.de/ausglmechv_2015/BJNR014610015.html (in German only),

- the GO and Regional GO Implementing Ordinance (HkRNDV)
https://www.gesetze-im-internet.de/hkndv/BJNR214700012.html (in German only)

An English translation of the GO and Regional GO Implementing Ordinance is not yet available, however the Ordinance has only be renamed so the translation of the former GO Implementing Ordinance can still be used: http://www.umweltbundesamt.de/sites/default/files/medien/376/dokumente/implementing_ordinance_on_guarantees_of_origin_for_electricity_2014.pdf,

- the GO and Regional GO Fees Ordinance (HkNGebV) http://www.gesetze-im-internet.de/hkngebv/BJNR270300012.html (in German only). An English translation of the GO and Regional GO Fees Ordinance is not yet available, however the Ordinance has only be renamed so the translation of the former GO Fees Ordinance can still be used: http://www.umweltbundesamt.de/sites/default/files/medien/372/dokumente/go_fee_ordinance.pdf

- and the Terms of Use (Nutzungsbedingungen) http://www.umweltbundesamt.de/sites/default/files/medien/372/dokumente/nutzungsbedingungen_fuer_das_herkunftsnachweisregister.pdf (in German only).

UBA is bound to these rules and cannot act against them.

B.3.2. The Competent Authority for EECS GOs in Germany is UBA. Its role is defined by legislation to be responsible for the operation of the HKNR for EECS GOs in Germany.

B.3.3. The Authorised Measurement Body are the bodies established under national regulation to be responsible for the collection and validation of measured volumes of energy used in national financial settlement processes. These are the respective grid operators of a plant. Grid operators can be found via the BDEW-Codenummerndatenbank: https://bdew-codes.de/Codenumbers/ElectricityGridOperatorCodes.

B.3.4. Account holders

Owners of production devices, traders and electricity suppliers may apply for a GO-account. Account holders are EECS Market Participants on the EECS registration database.

B.3.5. Production Registrar is the respective grid operator of a production device. UBA must verify whether the information given in the application is complete and provides sufficient data to calculate in a correct manner the net amount of RES-E that applies for EECS GO.

B.3.6. Service Providers are persons or organisations offering account holders the service to manage their business with the register.

B.3.7. Production auditors are environmental verifiers accredited according to the Umweltauditgesetz (UAG – Environmental Audit Act) which implements the EU EMAS Regulation in Germany. Accreditation is granted to environmental verifiers by the German supervising body for environmental verifiers Deutsche Akkreditierungs- und Zulassungsstelle für Umweltgutachter mbH – DAU. DAU publishes a list of all accredited environmental verifiers in the internet: http://www.dau-bonn-gmbh.de/dauAdrList.htm?cid=209. Environmental verifiers can register in the HKNR. Registered environmental verifiers may be appointed by the registrants to audit information made available to them by the registrants (or, if different, the owner or

operator of the relevant Production Device) and, where appropriate, by inspecting the relevant Production device.

B.3.8. Contact details for the principal roles and Issuing Body agents are given in Annex 1.

B.3.9. The EECS Registration Database operated by UBA can be accessed via the website www.hknr.de.

The following section(s) must be included in a Domain Protocol for each NGC that exists in the Domain and for any combination of EECS Product and ICS that can be issued.

B.3.10. In Germany no Non-Government Certificates exist.

B.3.11. In Germany no Independent Criteria Schemes are allowed.

C Overview of National Legal and Regulatory Framework

C.1 The EECS Framework

This section must demonstrate compliance with the following EECS Rules:

D3.1.2	*E6.2.1b*	*E6.2.1d*	*N8.4.1*			

It must describe:

- *the local legislation and Directive (and treaty if applicable) to which the EECS Product(s) relate*
  - *include links to web versions*
  - *include a short summary of the main provisions, specifically those implementing any relevant Directives; and for satisfying the Core Principles of the EECS Rules*
- *the authorisation of the issuer*

The following section(s) must be included as applicable in a Domain Protocol.

C.1.1. For this Domain, the relevant local enabling legislation is as follows:

UBA acts exclusively on a legal basis:
The German legislator implemented the requirements of Art. 15 of the Directive 2009/28/EC by § 55 of the Renewable Energy Sources Act 2012 (Erneuerbare-Energien-Gesetz, EEG 2012). § 55 EEG 2012 had been superseded by § 79 EEG 2014 w

EEG 2012: https://www.clearingstelle-eeg.de/files/node/8/EEG_2012_Englische_Version.pdf,

EEG 2014: http://www.bmwi.de/English/Redaktion/Pdf/renewable-energy-sources-act-eeg-2014,property=pdf,bereich=bmwi2012,sprache=en,rwb=true.pdf,

EEG 2017: http://www.bmwi.de/Redaktion/EN/Downloads/E/eeg-2017-gesetz-en.pdf?__blob=publicationFile&v=2.

Using § 64d EEG 2012 (now § 92 EEG 2017) the Federal Ministry for the Environment, Nature Conservation and Nuclear Safe in 2012 enacted the GO Ordinance (HkNV). With effect of 1 January 2017 the regulatory content of the HkNV has been implemented into the Renewable Energy Sources Ordinance (Erneuerbare-Energien-Verordnung – EEV). It enables UBA to create further and detailed regulations.

UBA used this provision to enact the GO and Regional GO Implementing Ordinance (HkRNDV, https://www.gesetze-im-internet.de/hkndv/BJNR214700012.html (German only) and the GO and Regional GO Fees Ordinance (HkRNGebV, http://www.gesetze-im-internet.de/hkngebv/BJNR270300012.html (German only). Both the Implementing Ordinance and the Fees Ordinance have only been renamed. Therefore the translations of the former versions can still be used.
GO Implementing Ordinance:
http://www.umweltbundesamt.de/sites/default/files/medien/376/dokumente/implementing_ordinance_on_guarantees_of_origin_for_electricity_2014.pdf) GO Fees

Ordinance:
http://www.umweltbundesamt.de/sites/default/files/medien/372/dokumente/go_fee_ordinance.pdf).

On basis of the HkRNDV UBA enacted Terms of Use (Nutzungsbedingungen). UBA first published Terms of use according to § 34 HkNDV on 31 December 2012 and published the recast Terms of use on 1 July 2013,

http://www.umweltbundesamt.de/sites/default/files/medien/372/dokumente/nutzungsbedingungen_fuer_das_herkunftsnachweisregister.pdf (German only).

According to their legal basis (§ 34 HkRNDV), the Terms of use contain detailed provisions how the obligations on users deriving from the HkRNDV are to be implemented in practice. The Terms of use provide e.g. for rules on

1. availability of the register, communication and submission of documents (no. 2)
2. power of representation, PostIdent procedure and authentication by smsTan (no. 3)
3. change of plant operator and reimbursement of costs for the submission of documents and/or the commissioning of an environmental verifier (no. 4)
4. additional information on the GO and specification of cancellation cause (no. 5)
5. authorization of service providers (no. 6)
6. registration of environmental verifiers (no. 7)
7. biomass plants i. a. multifuel plants (no. 8)
8. waste incineration plants (no. 9)
9. border plants (no. 10)
10. confidentiality, IT security and passwords (no. 11)

These legislative acts form the basis for UBA to administer the GO registry in Germany. All procedures have to be ruled or described in these documents. The most important document for the registry itself is the HkRNDV. It describes in very detail the preconditions and procedures for most of the activities within the registry.

In accordance with § 79 EEG 2017 and § 6 of the GO and Regional GO Implementing Ordinance (HkRNDV) UBA may not issue a GO for electricity that receives a sort of direct support, i.e. the Feed-in-Tariff or the Market Premium.

C.1.2. UBA has been properly appointed as an Authorised Issuing Body for EECS GOs under § 79 (1) EEG 2017 which states:

“The Federal Environment Agency

1. shall on application issue guarantees of origin to installation operators for electricity from renewable energy sources for which no payment pursuant to Section 10 or Section 50 is claimed,

2. shall on application transfer guarantees of origin and

3. shall cancel guarantees of origin."

C.2 National Electricity Source Disclosure

This section must demonstrate compliance with the following EECS Rules:

E3.3.14						

It must describe:

- *the relevant legislation, regulations and supporting procedures, including specific provisions and a link to any relevant pages on the internet]*
- *the disclosure methodology and process, including linkage between EECS certificates and disclosure in this domain, or a link to the relevant pages on the internet*
- *the calculation methodology of the residual mix, or any other default mix relevant for electricity disclosure. Link to any relevant pages on the internet giving such information*

C.2.1. Electricity disclosure in Germany is regulated by § 42 of the Energy Industry Act (Energiewirtschaftsgesetz – EnWG)

http://www.gesetze-im-internet.de/enwg_2005/index.html (in German only)

It is supplemented by a non-binding guidance document, published by the German umbrella organisation Association of Energy and Water Industry (BDEW). This guidance document is updated regularly and can be downloaded here: https://www.bdew.de/internet.nsf/id/DE_Datenplattform_Stromkennzeichnung

(in German only).

The law regulates:

- Suppliers have to provide their electricity fuel mix for year X by 1 November of year X+1 the latest at the annual invoice, advertising material and on their website
- Disclosed fuel mix contains the company's mix, a product mix (if any, in these cases also the residual company mix) and (for comparison) the German production mix.
- Disclosed information contains at least the shares of nuclear, coal, natural gas, other fossil, renewables as supported according to German Renewable Energy Sources Act (EEG), other renewables and the respective emissions of CO_2 and nuclear waste
- For shares of unknown origin, the German ENTSO-E mix published by the German Association of Energy and Water Industry (BDEW) has to be used, which shall be corrected "with reasonable effort" by BDEW and/or the suppliers in order to avoid double counting (§ 42 (4) Energy Industry Act). Electricity from renewable energy sources, which is disclosed as "supported by the Renewable Energy Sources Act" or "other renewable energy sources with GOs", has to be subtracted beforehand. The adjusting "with reasonable effort" comprises everything to avoid double counting, including factoring in the number of imported, exported or expired GOs. BDEW calculates and publishes the adjusted ENTSO-E mix on a yearly basis for all electricity suppliers. (https://www.bdew.de/internet.nsf/id/DE_Datenplattform_Stromkennzeichnung)
- In order to disclose a certain share of "other renewables"– besides the amount of "renewables supported by the Renewable Energy Sources Act" which is

calculated every year on legal basis (§ 78 EEG 2017) as a reliable tracking system and paid for by every consumer –, suppliers are obliged to use RES GO as cancelled in the HKNR. This obligation does not apply for RES as share of the corrected ENTSO-E mix.
All other shares of origin of electricity (nuclear, coal, gas, other fossil fuels, renewables supported by the Renewable Energy Sources Act) are disclosed in accordance with the BDEW guidelines.

- The following renewable energy sources are regarded as renewables:
  a) hydropower including wave, tidal, salinity gradient and marine current energy,
  b) wind energy,
  c) solar radiation energy,
  d) geothermal energy,
  e) energy from biomass including biogas, biomethane, landfill gas and sewage treatment gas and from the biologically degradable part of waste from households and industry,
  (Art. 3 no. 21 EEG 2017).
- Electricity from these sources is eligible to be disclosed as “supported” or “other renewables” depending solely on the fact whether the electricity produced from these sources had been supported under the German renewables support scheme (which is laid down in the EEG).
- UBA has the competence to check whether the supplier fulfils his duty to cancel the correct amount of GOs.

C.2.2. German electricity branch organisation BDEW has published voluntary guidelines with further specifications.

https://www.bdew.de/internet.nsf/id/1E7BD75876AE0D08C1257823003ED8C4/$file/Leitfaden-Stromkennzeichnung_2017.pdf (in German only).

As corrected ENTSO-E mix, BDEW recommends in coordination with the German regulator Bundesnetzagentur (Federal Network Agency, BNetzA) the German production mix excluding all RES production. However, no legally mandatory mix is published.

The BDEW guidelines also include a mechanism for ex-post allocation of attributes as based on net trading balances of market parties. According to this methodology, larger German electricity companies publish their traded production mix, so that companies who are net buyers from these companies over the year can use this information for calculation of their own mix. Such calculation is performed with several iterative steps and presumably used by most of the German producers, traders and suppliers.

C.2.3. For explicit tracking, no requirements are put in place (besides the obligation for RES GO as of 2013 production) so that besides EECS GO, for non-RES contract based tracking may be used.

C.2.4. BNetzA is the competent body to verify the disclosure. The responsible authority to verify the disclosure for “other renewables” is UBA, § 42 (7) EnWG. “Other renewables” are the main component of green electricity products.

C.3 National Public Support Schemes

This section must demonstrate compliance with the following EECS Rules:

None directly						

It must describe:

- *the relevant currently operational support schemes, how they work and how they interact with electricity source disclosure (especially in relation to GO), together with a link to any relevant pages on the internet ensuring all support schemes listed for this domain in Fact Sheet 3 are included*

C.3.1. The support schemes are defined by the German Renewable Energy Sources Act (Erneuerbare-Energien-Gesetz – EEG).

Support mechanisms include particularly a fixed feed-in-tariff or a market premium for the plant operator. In both cases no GOs are issued for these volumes as the respective RES volumes are disclosed on a pro-rata basis towards end-consumers as “renewables financed from the EEG surcharge”. The calculation is described in every detail in § 78 EEG 2017.

C.4 EECS Product Rules

This section must demonstrate compliance with the following EECS Rules:

E6.2.1f	*E6.2.1g*					

It must describe:

- *the relevant product rules (in summary)*
- *the purpose of each product*

The following section(s) must be included in a Domain Protocol.

C.4.1. The EECS Product Rules as applied in Germany are set out within sections D and E of this document.

C.5 Local Deviations from the EECS Rules

This section must identify those areas where there are minor differences from the EECS Rules. It is intended for other AIB members, reviewers and traders operating across domains so that they can understand specific local arrangements. These differences must not have any impact on the integrity of EECS Certificates.

C.5.1. In contrast to C2.1.2 the owner of a production device is not obligated to send UBA graphical representations of the production device and its location, including diagrams and photographs. In all cases of a “complicated metering situation”, which means that several meters or import and export meters or transformers are used or the amount of energy at the meter does not reflect the amount fed into the grid due to other reasons (§ 10 (2) No. 12, 13 HkRNDV), environmental verifiers have to check the meters and the formula calculating the nett amount of electricity (§ 11 (2) HkRNDV) prior to registration of the Production Device. The owner has to describe the location of the installation by using the number of the parcel of land as reported in the public cadastre.

C.5.2. In contrast to C3.4.1 (c) UBA issues GOs for production devices with SEP-meter (meter cannot be read automatically, and the grid operator sends the data every time a staff member reads the meter (§ 22 (2) 3 HkRNDV). In such cases the production period is determined by the dates when the meter was read. The first day of the production period is the day after the last reading. The last day of the production period is the day of the recent reading (§ 9 (3) HkRNDV).There is no breakdown of production

per calendar month. Instead, on the GO the production period is expressed as the calendar month in which the production period ended. We will clarify this in the recast HkRNDV, which we expect to enter into force in 2018. Theoretically it is in such cases possible that GOs are issued for RES-E produced over a period of more than 12 months. In the recast HkRNDV we will also regulate that the production period may not significantly exceed 12 months.

C.5.3. In contrast to N6.3.2 the owner of a production device that is only able to use biomass for electricity production but more than one kind of biomass is not obliged to submit a Consumption Declaration. These installations are audited once a year by an environmental verifier and receive GOs for renewables – in case of solid biomass – with the Fuel Code “F01010000”. In case the production device is able to mix biomass and fossil fuels, the environmental verifier has to audit the amount of electricity coming from renewables before UBA can issue. In both cases the environmental verifier has to check inter alia whether the amount of electricity is in line with the amount of biomass used. At least every 12 months the environmental verifier gives such confirmation based on an onsite inspection. In between, the environmental verifier may confirm the percentage based on suitable and sufficient evidence provided by the plant operator without being on site (No. 8.2 of the Terms of use). The plant operator is legally obliged to keep sufficient documents concerning the used fuels. The environmental verifier is not on its own able to retrospectively rectify data that he had confirmed before. If it turns out that data and/or GOs issued based on that data are wrong, the environmental verifier and the plant operator are obliged to inform UBA. UBA will take the appropriate measures as described in Section E.8.

C.5.4. Since the legal relationship between UBA and our registry users is not determined by contractual law but by public law, there’s no room for STCs. The criteria of E7.1.1 are met in Germany in the following way:

(a) Not applicable as the legal relationship between UBA and our users is only and entirely determined by public law. The legally appointed competent body UBA is legally entitled and obliged to enforce the regulations laid down in the law, most notably HkRNDV.

(b) As above.

(c) UBA is by constitutional law (Art. 34 of the German Basic Law) prevented from limiting our liability.

(d)

(i) The prevention of unjust enrichment is secured by penal law (fraud). Also UBA is bound by the German Constitution to comply with the law.

(ii) See below no. 11 and no. 3 of our Terms of use

(iii) According to German legal principles on apparent mandate and agency by estoppel (Anscheinsvollmacht und Duldungsvollmacht) communication which is sent using the applicable authorisation data without actually being authorised is deemed to be sent by the its user and thus shall bind the user.

D Registration

D.1 Registration of an Account Holder

This section must demonstrate compliance with the following EECS Rules:

G2.2.1						

It must describe:

- *Who can be an account holder*
- *How to apply for registration (e.g. website form)*
- *The Know Your Customer form and process which should include any anti-fraud verification*
- *How long the process normally takes*
- *That the Standard Terms & Conditions must be signed*
- *Where the tariff of services can be found*
- *How users belonging to the account holder gain access to the registry*

A sample or template application form must be included as an appendix, or a web link to the online form should be provided.

D.1.1. Any – legal or natural – person or association of natural persons which is given legal capacity by the law (like an association under the German Civil Code – Gesellschaft bürgerlichen Rechts [GbR] or a general partnership – Offene Handelsgesellschaft [oHG]) is entitled to take part in the HKNR. We differentiate between the following roles:

- plant operators,
- electricity suppliers,
- traders,
- service providers/agents,
- grid operators,
- environmental auditors and auditing organisations.

D.1.2. The first three (3) groups (plant operator, electricity supplier, trader) receive a GO account. The last three (3) groups (service providers, grid operators, environmental auditors) only receive access to the GO system but not an own account. These last three (3) roles do not handle GOs. Combinations of roles are possible (exception: an environmental auditor is not allowed to be a plant operator as well). Service providers are persons or organisations offering account holders the service to manage their business with the HKNR; often plant operators make use of service providers to handle their administrative procedures for them.

Traders who are not a supplier nor an electricity producer are allowed to open an Account in the registry (§ 4 (3), sentence 1 No. 3 HkRNDV). Those traders can only trade including import and export. They are prevented from cancelling, because the right to cancel is only conferred to suppliers (because only suppliers are obliged to provide an electricity disclosure statement to their final costumers), § 17 HkRNDV.

Whether an applicant really is an electricity supplier is scrutinized by UBA in the course of the account opening procedure. Legal basis for this check is the definition of electricity supplier in § 3 no. 20 EEG 2017, according to which an electricity supplier is every natural or legal person supplying electricity to final consumers. Electricity suppliers who supply household consumers are obliged to register with the BNetzA and BNetzA publishes a list on the web of all listed suppliers who supply electricity to

household consumers. We check whether the applicant is listed on this list. Also, all electricity suppliers are obliged to publish their electricity disclosure statement(s) on their websites. We check the websites of the applicant for the current disclosure statement(s). If an applicant is neither listed on the BNetzA list of suppliers nor can he present the current disclosure statement, we check his website and published STCs, have him explain his business and/or check the commercial registry to determine whether the applicant really supplies electricity to final consumers.

D.1.3. An application to get an account or only access to the system consists of

- filling out the application form in the software
- pass through the PostIdent procedure of the Deutsche Post AG (German postservice provider) to confirm one's identity (only persons living in Germany; people living outside Germany send a copy of the passport via upload in the software)
- (in the case of a legal person or association with legal capacity) hand in a certificate of authority and necessary documents out of the Commercial Registry.

Non-German residents can choose whether to prove their identity by uploading a coloured copy of their ID or passport or by following the PostIdent-procedure (No. 3.2 (2) of the Terms of use). The reliability of each applicant (domestic and foreign) is checked according to the registers' security policy which relies on the same criteria than the AIB KYC-form. This security policy requires to cross-check the information given to HKNR by the applicant against the information we have from the applicant or other (public) sources and/or to ask the applicant for further information, explanation and/or documentation to enable us to verify his/her reliability.

D.1.4. The data needed for the application form are laid down in § 4 (3) and (4) (concerning "normal" members), § 5 and § 24 HkRNDV. A screenshot can be found in Annex 2.

D.1.5. UBA verifies all these data, checks the identity of the applicant via the PostIdent procedure and the eligibility of the user to act for an organisation. In case of an environmental verifier UBA also checks whether the auditor complies with the scope of auditors (NACE-Code 35.11.6 and 35.11.7).

D.1.6. The timeline depends on the question whether the applicant handed in all relevant documents. If it was the case accepting lasts one (1) business day. UBA asks the applicant to hand in missing documents several times (immediately after receiving the incomplete application, then four weeks later).

D.1.7. Reasons for rejection can be found in § 4 (6) that refers to §§ 30 (2), 31 (2) and 32 (1) HkRNDV. They describe e.g. cases of wilfully sending wrong data or committing a crime with the registry, sending wrong data by an environmental auditor or allowing third persons to use their personal account. In all these cases the security, accuracy or veracity of the HKNR are at risk.

D.1.8. UBA accepts the application by sending the user an official notification containing an administrative decision. If the application is accepted, the user gets access to the registry and – depending on the role – an additional account for GOs. The user activates the access himself by giving himself a password.

D.1.9. An access and an account can have several sub-users under the guidance of one user. One user can open several accounts within one access.

D.2 Resignation of an Account Holder

This section must demonstrate compliance with the following EECS Rules:

None directly						

It must describe:

- *How the account holder should tell the registry operator of a resignation*
- *How the registry operator will respond:*
  - *Closing the account*
  - *Securing the account*
  - *What happens to any certificates still in the account*
  - *When these steps will happen*
- *How outstanding charges become due*

A sample or template resignation form (if used) should be included as an appendix, or a web link to the online form should be provided.

D.2.1. If the user wants to resign he applies to do so (§ 31 (1) No. 1 HkRNDV). UBA checks whether GOs are still on the account. In this case UBA informs the user. The user has the possibility to sell or cancel the remaining GOs. If he does not sell or cancel them, UBA cancels the GOs and closes the account (§ 31 (3) HkRNDV). The GOs cancelled by UBA in this case of resignation without clearing the account may not be used for disclosure purposes. The user holding an account receives his last administrative decision to pay outstanding fees. All data will be marked as “cancelled” and are not visible for other users anymore.

D.3 Registration of a Production Device

This section must demonstrate compliance with the following EECS Rules:

C2.1.1	*C2.1.2*	*C2.2.4*	*D4.1.2*	*E3.3.11*	*N5.2.1*	

It must describe:

- *Who can register a production device*
- *What is acceptable evidence of authorisation (if not the owner)*
- *That each EECS Product supported in this DP must be identified along with any applicable Independent Criteria Schemes (noting that other ICS may be applicable and to check the registry website for the latest listing)*
- *The eligibility criteria for each EECS Product listed*
- *The information required to register a device*
- *That the account where certificates are to be issued must be identified*
- *How the metering data will be provided*
- *The verification process*
  - *The role of the production registrar*
  - *A site inspection is normally required*
  - *Possible data sources*
- *Access to the device and its records is a condition of registration*
- *The assignment of a unique device number*
- *Publication of device information*
- *Where the tariff for services can be found*
- *How long the process should take*

A sample or template registration form must be included as an appendix as this should include all the data items required and can avoid having to list them. A web link to the online form (if used) should be given.

D.3.1. The owner of the production device or his service provider is entitled to register the plant.

D.3.2. Before registration of a production device they have to register themselves and prove their power of attorney by sending to UBA a written certificate of authority and – in the case of an organisation – an up-to date copy out of the Commercial Registry.

D.3.3. The production device

- has to produce electricity from renewable energy sources,
- has to be located in Germany, in the German Exclusive Economic Zone or at least on the border to another country (e.g. Austria, Switzerland, France, Luxembourg).

D.3.4. The applicant has to report to UBA all data mentioned in § 10 (2) HkRNDV. As long as the owner does not fill in all of these data the installation cannot be registered. The data are cross-checked by UBA. The production device receives a unique registration number.

D.3.5. In some cases an environmental verifier has to validate the data the owner sends to UBA. That is especially the case with installations

- that have not been supported under the RES support scheme within the last five years, that is by the feed-in-tariff, the market premium or the green electricity-privilege (§ 11 (1) No. 2 HkRNDV),
- that have complicate electricity meters that need calculations (§ 11 (2) HkRNDV),
- that can use biological but also fossil fuels (§ 11 (1) No. 1 HkRNDV),
- that use pumped water for electricity production and have a specific efficiency factor (§ 7 (2) HkRNDV).

D.3.6. The owner may report UBA some environmental friendly specifications of the production device, its construction or operation (Annex 4, cf. § 8 (2) HkRNDV, e.g. a fish pass at a water plant). An environmental verifier has to approve these “additional contents”.

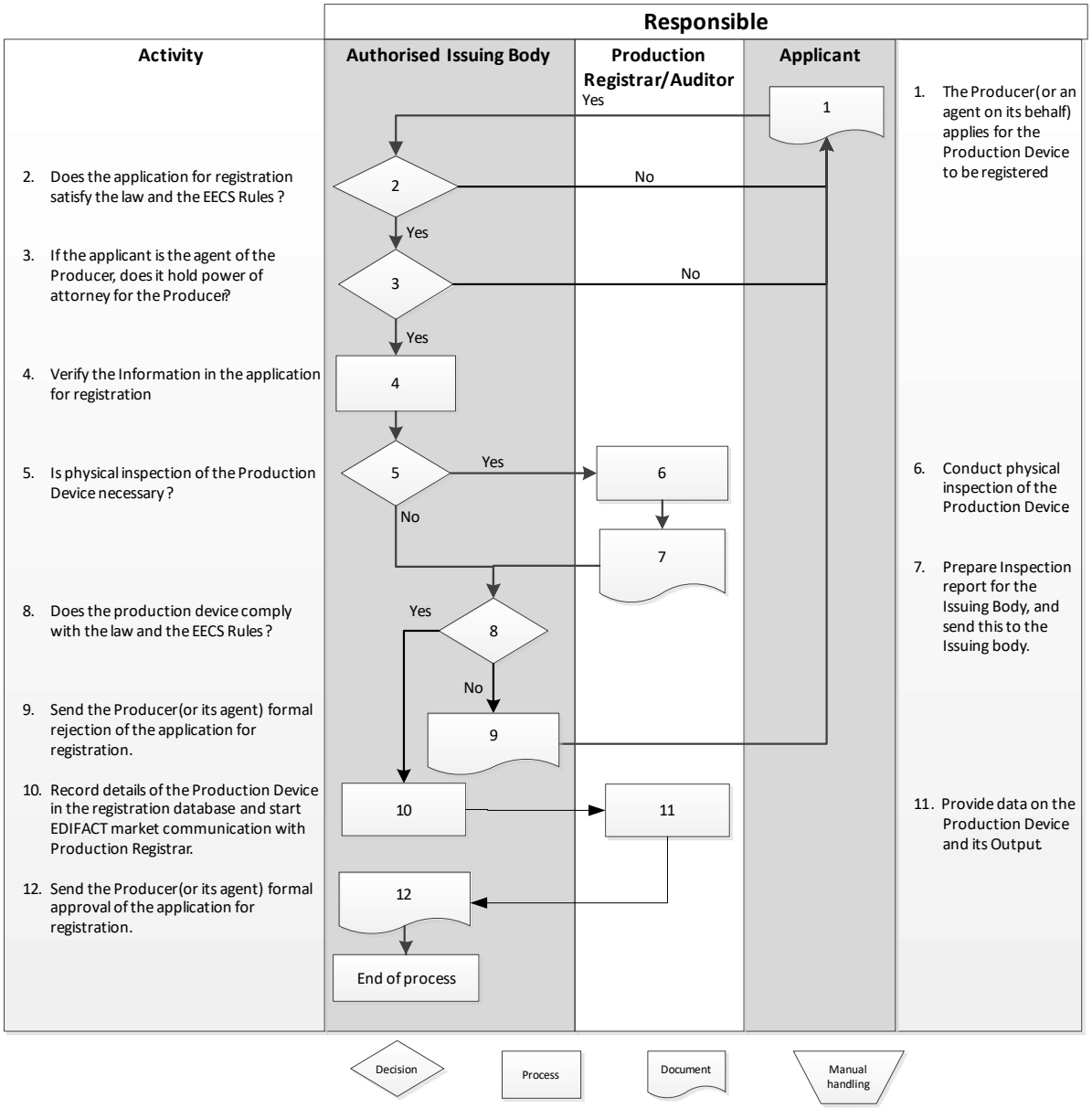
D.3.7. After filling in the registration form and checking by the verifier, UBA submits the data automated via Edifact communication to the grid operator to validate the data of the production device the owner had sent to UBA (§ 10 (3) HkRNDV). If the data are valid the grid operator sends to UBA all production data of the installation.

D.3.8. The timeline for the registration of a production device depends on the specific preconditions, especially the question whether an environmental verifier has to audit the plant. In other cases the registration may last at about two or three weeks.

D.3.9. Production devices located on border between domains: UBA issues in accordance with the Competent Bodies in the other countries using the mechanisms laid down in state contracts or concessions. If the Competent Body in the other country issues GOs using a different mechanism than laid down in state contracts or concessions, UBA consults with the relevant Competent Body in the other country on the procedure. If there is neither a state contract nor a concession dealing with the distribution of electricity to both countries UBA issues GOs for the electricity fed into the German grid.

D.3.10. To handle some difficult procedures UBA offers papers to some topics, e.g. “What is a generator?” (http://www.umweltbundesamt.de/sites/default/files/medien/376/dokumente/hknr_der_anlagenbegriff_im_hknr.pdf) or “How to deal with border plants?” (http://www.umweltbundesamt.de/sites/default/files/medien/376/dokumente/hknr_grenzkraftwerke.pdf)

Please adjust the following flow diagram to describe the process in your domain.



D.4 De-Registration of a Production Device

This section must demonstrate compliance with the following EECS Rules:

None directly						

It must describe:

- *How the registrant should request the de-registration*
- *Period of notice required*
- *How the registry operator will respond*
- *How long the process should take*
- *How outstanding charges are applied*

- *Re-registration requirements*

D.4.1. The owner of the plant can “Delete” the registered installation by using the “delete”-button. As a result UBA stops the communication with the grid operator concerning the deleted production device and thus will not issue any GOs anymore. Data will not be deleted physically but stored in UBA’s database; they are no longer visible for the users of the HKNR. This procedure will last a week the longest. As UBA is allowed to correct all data in the registry it is also entitled to delete a production device if it doesn’t exist anymore.

D.5 Maintenance of Production Device Registration Data

This section must demonstrate compliance with the following EECS Rules:

C2.2.1	*C2.2.2*	*C2.2.3*	*C2.2.5*	*D5.1.2*		

It must describe:

- *Changes must be notified*
- *The assessment process and how long it will take*
- *Changes in relation to qualification*
- *How changes in device capacity are handled*

The following section(s) must be included in a Domain Protocol.

D.5.1. The registration of a Production Device expires after five years. The Registrant must re-apply for registration for the Production Device before expiry.

D.5.2. The plant operator is legally obliged to inform UBA about every change of data of the production device (§§ 12, 20 HkRNDV) and to correct them via a web form (e.g. new capacity or new metering devices).UBA receives an information about these changes of data. If the user fails to inform UBA, UBA may impose an administrative penalty (§ 29 No. 4 HkRNDV). UBA is enabled to correct all data (§ 3 (4) HkRNDV).

D.6 Audit of Registered Production Devices

This section must demonstrate compliance with the following EECS Rules:

E3.3.7	*E3.3.8*	*D5.1.2*				

It must describe:

- *Access to site and records is essential*
- *Site visits can be without notice*
- *What site visits are for*
- *Any available alternatives to site inspections*

The following section(s) must be included in a Domain Protocol.

D.6.1. The period between inspections of a Production Device will not exceed 5 years.

D.6.2. Some installations have to be inspected by an environmental verifier; these are installations

- that have not been supported under the RES support scheme within the last five years, that is by the feed-in-tariff, the market premium or the green electricity-privilege (§ 11 (1) No. 2 HkRNDV),
- that have complicate electricity meters that need calculations (§ 11 (2) HkRNDV),
- that can use biological but also fossil fuels (§ 11 (1) No. 1 HkRNDV),
- that use pumped water for electricity production and have a specific efficiency factor (§ 7 (2) HkRNDV).

D.6.3. The owner is obliged to report every change to the installation to UBA (§ 12 (1) HkRNDV); this also applies to a change of the capacity of the plant. These changes in the specifications of the production device are recorded as a change of the existing, not a registration of a new production device.

D.6.4. If the owner of the production device fails to correct data, UBA may impose an administrative penalty (§ 29 No. 4 HkRNDV). In some cases the verifier has to refresh his audit after a change of the production device, e.g. if the capacity changed (§ 12 (2) HkRNDV).

D.6.5. The registration of the installation has to be renewed every five years (§ 14 (1) HkRNDV) without any further inspection. UBA is allowed to command an expertise by an environmental auditor about a production device to cross check the statements of a plant operator (§ 25 (1) HkRNDV).

D.6.6. Refusal to permit access may be considered a breach of the law, esp. § 11 (4) HkRNDV.

D.6.7. If an inspection identifies material differences from the details recorded on the EECS Registration Database, the Registrant must correct the data of the Production Device.

D.7 Registration Error/Exception Handling

This section must demonstrate compliance with the following EECS Rules:

C2.2.2	*E4.2.7*					

It must describe:

- *How identified changes or errors in registration are handled*
- *Reporting of any non-compliance to the AIB*
-

The following section(s) must be included in a Domain Protocol.

D.7.1. Any errors in EECS Certificates resulting from an error in the registered data of a Production Device will be handled in accordance with section E.8.

D.7.2. If UBA detects mistakes in data it is entitled to correct them (§ 3 (4) HkRNDV). Account holders are legally obliged to correct all mistakes in data (§ 21 (3) HkRNDV). If they fail to correct data, UBA may impose an administrative penalty (§ 29 No. 8 HkRNDV).

E Certificate Systems Administration

E.1 Issuing EECS Certificates

This section must demonstrate compliance with the following EECS Rules:

A2.1.1						
A2.1.2	*C3.1.1*	*C3.2.1*	*C3.3.1*	*C3.4.2*	*C3.4.4*	*N3.1.1*

It must describe the preconditions for EECS issuing:

- *the device must have been registered prior to the first production period*
- *the output must qualify under the product rules*
- *the output must have been metered and independently verified*
- *the relationship of the production period to the issuing date*
  - *the latest date when certificates can be issued*
- *no other certificate for the same purpose is in existence*
- *1 EECS certificate represents 1MWh*
- *how a national scheme certificate (if they exist) can be converted to an EECS certificate*
- *any waivers required*

The following section(s) must be included in a Domain Protocol.

E.1.1. UBA issues GOs if (cf. § 6 (1) HkRNDV for all preconditions)

- the production device is registered properly which includes the communication with the grid operator via EDIFACT,
- the production device is allocated to one of possible several accounts of the owner,
- for every production period, the grid operator reports UBA the amount of produced energy from renewable energies, where applicable checked by an environmental auditor,
- the owner of the production device applies for the issuance of GOs. He may apply for them every single month or subscribe for the issuance for a fixed or open period.
- the owner of the production device does not receive a feed-in tariff, market premium or a CHP-GO (issued by the Federal Office of Economics and Export Control, cf. C.4) for the same amount of electricity,
- the electricity was not produced more than twelve (12) months ago.

The face value of one (1) GO is one (1) MWh. The production period in the GO is always the calendar month.

E.1.2. UBA issues GOs upon request of the plant operator. He may apply for every single issuing procedure but also make use of a standing order. According to the net electricity a production device produces and feeds into the grid UBA issues GOs (§ 79 (5) EEG 2017). The grid operator sends UBA data not only on the amount of electricity but also on the kind of marketing of the electricity (that is the information whether the PD operator requests support for the electricity and if so, which kind of support) – it is

impossible to receive the feed-in-tariff or a premium and get GOs issued for the same amount of electricity.

E.1.3. A quantity of electricity produced by a production device which is less than one Megawatt hour may be carried over on the “electricity account” into the next period until one Megawatt hour is completed.

E.1.4. UBA will inform the account holder of the issuance of any GO into that account holder’s transferables account and of that GO’s details and make all information available to that account holder.

E.1.5. UBA allows for additional criteria if the environmental auditor confirms them:

- additional criteria, if the production device is constructed or operated in an environmental friendly way (cf. § 8 (2) HkRNDV

- “optionale Kopplung” (optional linking between GO and electricity produced): The owner of the production device may sell his GO to the same electricity supplier he delivers the electricity to via his virtual “accounting grid” (cf. § 8 (3) HkRNDV).

E.2 Processes

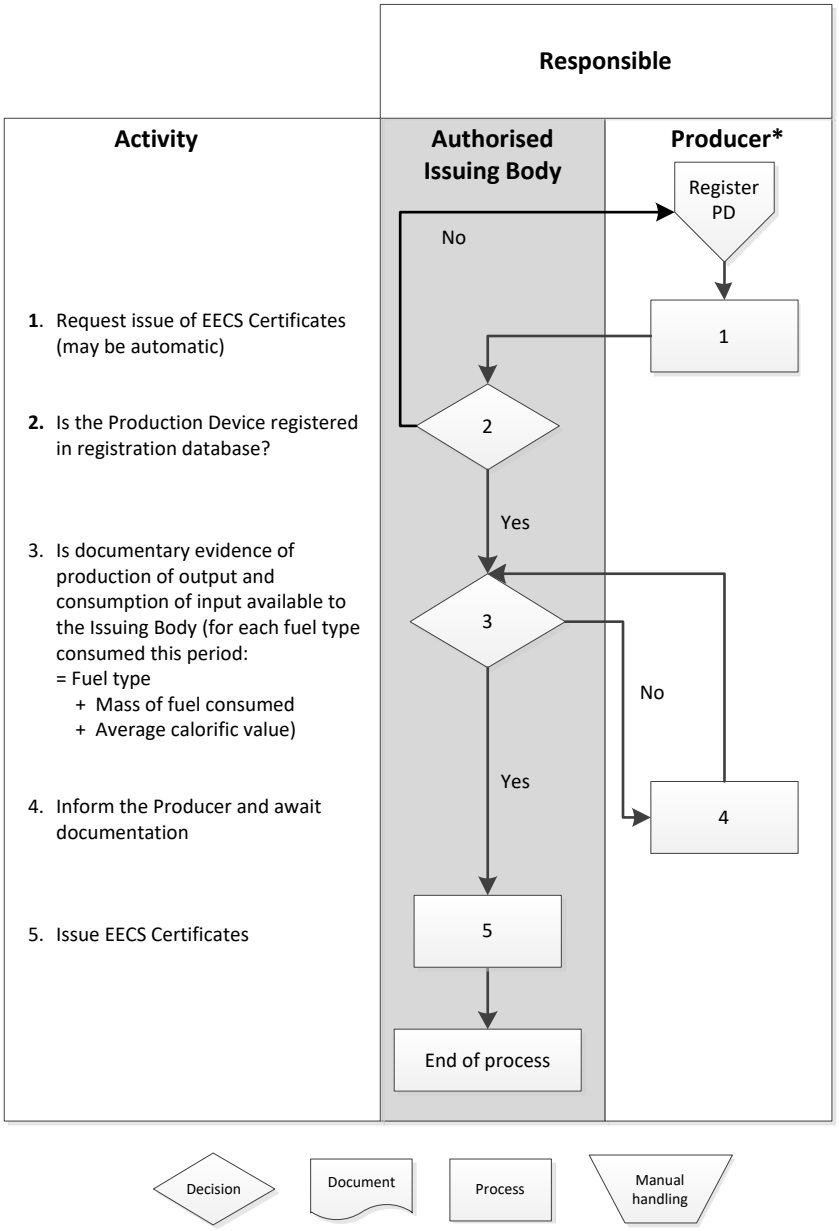
This section must demonstrate compliance with the following EECS Rules:

C3.4.1	*C3.4.3*	*C3.5.1*	*C3.5.2*	*C3.5.3*	*D7.1.2*	*N5.4.3*

It must describe the processes leading to issue:

- *a request to issue must be made by the registrant*
- *the issuing frequency*
- *how residual kWh are carried/brought forward*
- *certificates can be issued for energy consumed by auxiliaries but they must be cancelled immediately*
- *certificates will be issued to the nominated account*
- *how long the process will take*
- *how the account holder is informed of the issue*

Use can be made of the following flow diagram


Responsible
Activity
Authorised Issuing Body
Producer*
Register PD
No
1. Request issue of EECS Certificates (may be automatic)
1
2. Is the Production Device registered in registration database?
2
Yes
3. Is documentary evidence of production of output and consumption of input available to the Issuing Body (for each fuel type consumed this period:
= Fuel type
+ Mass of fuel consumed
+ Average calorific value)
3
No
Yes
4. Inform the Producer and await documentation
4
5. Issue EECS Certificates
5
End of process
Decision
Document
Process
Manual handling

E.3 Measurement

This section must demonstrate compliance with the following EECS Rules:

D6.1.2	*N5.4.1*	*N5.4.2*				

It must describe:

- *the local metering regulations that apply*
- *measurement frequency must be not more than 12 months*
- *the registrant is responsible for the measurement data*
- *a measurement body must collect and verify the values*
- *the allocation of energy according to input fuel*
- *the determination of qualifying output*
- *when a device is out of service, its consumption is not counted*
- *any arrangements for estimating and/or line loss adjustments to metered values*

E.3.1. The nett measurement depends on the meter and how it can be read:

In the case the meter can be read automatically via radio-communication or internet (so called RLM), the grid operator sends UBA the produced energy once a month for the month passed (§ 22 (2) 2 HkRNDV). UBA issues the GOs for the month passed.

In the case the meter cannot be read automatically (so called SEP), the grid operator sends the data every time a staff member reads the meter (§ 22 (2) 3 HkRNDV). The grid operator has to submit the metered data at least once a year (§ 22 (1) 3 HkRNDV. UBA issues GOs then for the metering period which is determined by the dates when the meter was read. The first day of the production period is the day after the last reading. The last day of the production period is the day of the recent reading (§ 9 (3) HkRNDV). There is no breakdown of production per calendar month. Instead, on the GO the production period is expressed as the calendar month in which the production period ended. This will be clarified in the recast HkRNDV which can be expected to enter into force in 2018.

E.3.2. Line losses are not taken into account as such. GOs are issued based on measured grid injection. Electricity lost before injection is not measured and therefore not issued. Line losses after injection are also not measured and therefore not taken into account. There's currently no possibility in Germany to cancel GO's to green grid losses.

E.3.3. Auxiliaries are measured by separate meters in the power plants. All types of PDs with auxiliaries (biomass plants, waste incineration plants and pumped hydro power plants) need their electricity production confirmed by an environmental verifier before issuance. The environmental verifier confirms that auxiliaries are deducted from gross production based on the metered values.

E.4 Energy Storage (Including Pumped Storage)

This section must demonstrate compliance with the following EECS Rules:

N5.3.1						

It must describe how the net generation is calculated:

- *the registrant must provide a consumption declaration*

A sample or template consumption declaration form must be included as an appendix to ensure correct data provision.

E.4.1. UBA issues GOs for electricity deriving from pump storage sites but only for the natural feedings and not for the pumped water. UBA will calculate the natural feeding as follows:

GO-relevant Electricity = Electricity Produced – (Electricity used for pumping x 0.83).

The figure “0.83” is a factor for inefficiency of the pumping activity. It derives from a rule in Switzerland (Art. 4a Swiss Herkunftsnachweis-Verordnung, cf. Annex 8, based on scientific expertise). UBA uses it in § 7 HkRNDV as a flat-rate value with the possibility to improve the factor after audit by an environmental verifier.

It is planned to change this rule as part of the revision of the HkRNDV (envisaged entry into force 2018). The new formula for calculation of the natural inflow will be:

GO-relevant Electricity = Electricity produced – Electricity used for pumping.

The flat rate factor for inefficiency of the pumping will be abolished. However, upon application of the Producer it will be possible to factor in losses due to the pumping activity. Such a factor for the inefficiency of the pumping activity will be taken into account if it is verified by an environmental verifier.

E.5 Combustion Fuels (e.g. Biomass)

This section must demonstrate compliance with the following EECS Rules:

N5.3.2						

It must describe how the generation is calculated:

- *the registrant must provide a consumption declaration*
- *the standard calculation must be applied*

A sample or template consumption declaration form must be included as an appendix to ensure correct data provision.

E.5.1. Law distinguishes between

– pure biomass combustion plants: they receive GOs for all electricity produced. An environmental verifier has to check the quantity of GOs with fuel documentations once a year (§ 23 (1) HkRNDV);

– combined biomass and fossil combustion plants: Here the environmental verifier has to audit before UBA issues GOs the amount of electricity produced by biomass (§ 6 (1) No. 8 HkRNDV). UBA issued specifications how exactly to deal with biological amounts in waste in No. 8 Terms of Use.

E.6 Format

This section must demonstrate compliance with the following EECS Rules:

C3.5.4	*C3.5.5*	*N5.5.1*	*N5.5.2*	*N5.5.3*	*N5.5.4*	

It must describe:

- *the format of an EECS certificate (it is recommended to use the section given below to avoid a complete listing of items)*
- *for fossil fuelled generation additional data items to be included:*
    - *CO_2 emissions*
- *for cogeneration additional data items to be included:*
    - *CO_2 emissions*
    - *the use of heat*
    - *the calorific value*
    - *the primary energy savings*
- *for nuclear generation additional data items to be included:*
    - *radioactive waste*

The following section(s) must be included in a Domain Protocol.

E.6.1. EECS Certificates shall be Issued in such format as may be determined by AIB from time to time.

E.6.2. The GO comprises all the relevant content as Art. 15 (6) of the Directive 2009/28/EC demands. The relevant content is laid down in § 9 EEV and additionally in § 8 (1) HkRNDV. This is in line with the EECS rules C3.5.4.

E.7 Transferring EECS Certificates

This section must demonstrate compliance with the following EECS Rules:

C5.1.1	*C5.1.3*	*C5.1.6*				

It must describe the process of transfer (not just whether the process is automated):

- *how the seller initiates a transfer*
    - *making a transfer request*
    - *specifying the certificates to be transferred*
- *validation of a transfer request*
- *when certificates are 'in transit' they are not available for another transfer*
- *the certificates 'leave' the sender's account before 'entering' the buyer's account*
- *how imports are handled*
    - *describe the process*
    - *describe whether all EECS Certificates are allowed entrance into the registry, and if not: describe the acceptance criteria for EECS Certificates within your Domain*
    - *describe which information of EECS Certificates is not shown to Account Holders in your registry*
- *how exports are handled (describe the process) and whether all EECS Certificates may be exported out of the registry*
- *how the buyer/seller is made aware of the successful transfer*
- *how long each stage of the process will take*

E.7.1. Only valid GO this is GOs that have not been cancelled, have not expired or withdrawn can be transferred.

E.7.2. Transfer and export:

The initiation of transfers is by the selling account holder. The transfer of certificates and the confirmation of that transfer is automated. It is secured by an mTAN-Procedure to grant authority (No. 3.3 Terms of Use).

The account holder gets access to the account to make transfers of GOs to another account of the German domain or the domain of another issuing body in another domain through the registry website. He indicates the name of the addressee (national transfer) or the account number of the addressee (export) of the GOs. Only GOs for renewable electricity may be exported from the German domain. For the export UBA gets in contact with the foreign issuing body and provides all relevant information for the transfer of the GOs. The export takes place via the Hub of the AIB. The rules of the AIB apply, for example concerning special environmental qualities which are earmarked on the GO and are not transferable as long as they are not foreseen in SD03 and/or Fact Sheet 17. In the process of transferring or exporting the GOs UBA deletes them from the account of the sender.

E.7.3. Import:

The foreign account holder can only transfer RES-GOs into the German domain. UBA checks whether the GOs are acceptable according to Art. 15 (9) Directive 2009/28/EC. If the GOs are acceptable UBA places the information in the addressee's account. ICS flags are not displayed in the HKNR. Account transactions remain visible for at least a year. UBA keeps necessary data of transfers at least 10 years after closing the specific file. If the account number which had been specified in the import request doesn't exist in our register we try together with the importing registry to find out who the addressee of the import in our register shall be and to provide the importing registry with the correct account number. If an import fails due to the correct account number of the addressee being unknown the certificates are being re-booked to the sending account and records are such that no import has been taken place.

HEC-GOs cannot enter the HKNR. Non EECS-GOs are technically prevented from entering the HKNR.

E.8 Administration of Malfunctions, Corrections and Errors

This section must demonstrate compliance with the following EECS Rules:

C5.1.7	*C8.4.1*	*C8.4.2*	*C8.4.3*	*C8.5.1*	*D9.1.2*	

It must describe the processes followed when a transfer fails and when an error is identified:

- *in the event of a failure of minor validation during transfer*
  - *the registry operator will make reasonable effort to correct and make the transfer happen*
- *in the event of a complete failure of a transfer*
  - *reinstate the certificates in the seller's account*
  - *investigate to facilitate another attempt*

- *in the event of impossible transfer for technical reasons*
  - *ex-domain cancellation if appropriate*
- *the registry operator will co-operate with others to manage any errors*
- *where an obvious error has occurred and is agreed*
  - *the registry operator will correct it even if it was not the issuer*
  - *nobody should gain financially as the result of a correction*
- *a registry operator can recover its reasonable costs of corrective action (unless it was responsible for the error)*

The following section(s) must be included in a Domain Protocol.

E.8.1. Once issued, the details of an EECS Certificate cannot be altered or deleted except to correct an error.

E.8.2. UBA has wide administrative competences:

- Correction of all data in the registry (§ 3 (4) HkRNDV),
- Refuse to issue GOs if in the former period too many GOs were issued (§ 6 (5) HkRNDV),
- Withdrawal of expired GOs (§ 17 (5) HkRNDV),
- Demand of additional reports by environmental auditors (§ 25 (1) HkRNDV),
- Impose administrative penalties (§ 29 HkRNDV),
- Suspension or shut down of an account as a consequence of misconduct (§§ 30, 31 HkRNDV).

E.8.3. UBA gives the account holder of the respective GO the opportunity to explain the circumstances of the error via e-mail or telephone. If UBA shares the view that it has to withdraw or cancel a GO it has the competence to do so. This may also happen in the account for international transfers.

E.8.4. In case the GOs are no longer in the German domain, UBA will cooperate with other issuing bodies to withdraw the erroneous GOs.

E.8.5. Undue enrichment of any account holder has to be avoided.

E.9 End of Life of EECS Certificates – Cancellation

This section must demonstrate compliance with the following EECS Rules:

C5.2.3	*C6.1.1*	*C7.1.1*	*C7.2.1*	*C7.2.2*	*C7.2.3*	*C7.3.1*

It must describe:

- *the limitations on what can be cancelled including you cannot cancel a certificate which is already cancelled or expired*
- *how cancelled certificates are prevented from transfer*
- *the situations where ex-domain cancellations are permitted*
- *what information is in a cancellation request and how that information is provided by the account holder e.g. via a form on a website*
- *the process of cancellation (who does what) including:*
  - *reporting to authorities*
  - *how long the process should take*
- *how multi-product certificates are handled*

- *how a cancellation statement can be obtained for a consumer and how long the production time is likely to be*

A sample or template cancellation statement must be included as an appendix.

The following section(s) must be included in a Domain Protocol.

E.9.1. Cancellation is removing a Certificate from circulation. Once Cancelled, a Certificate cannot be moved to any other account, and so is no longer tradable.

E.9.2. The initiation of cancellations is by the relevant account holder (§ 17 HkRNDV).

E.9.3. The cancellation of certificates is automated within the registry after the request of the account holder. The cancellation is secured by an mTAN-Procedure.

E.9.4. The confirmation of the success or failure of a cancellation is notified to the account holder by the issuing body. The account holder receives a message on screen at the end of the cancellation process.

E.9.5. If the Account Holder wants to receive the chic proof of cancellation (as exemplarily shown in Annex 5) he/she applies for it by using the function “create proof of cancellation” which is embedded in the function “overview of cancellation” within the HKNR software. The generation of the cancellation statement is only possible after the cancellation has been confirmed. The Account Holder can ask for the cancellation statement right after the completion of the cancellation or at any later session.

E.10 End of Life of EECS Certificates – Expiry

This section must demonstrate compliance with the following EECS Rules:

C5.2.3	*C6.1.1c*	*E6.2.1h*				

It must describe:

- *what expiry means and if it applies to the EECS Product(s)*
- *the local legislation on expiry*
- *how expiry occurs*
  - *automatic on a set date*
  - *automatic on certificate anniversary*
  - *by transfer (like cancellation)*
  - *by failing validation on transfer*
- *what happens to imports where the certificates have already expired for local use*
  - *imported and automatically expired (not recommended) or*
  - *prevented from import (ie. fail validation) or*
  - *can be held but not eligible for formal cancellation against an obligation (e.g. Disclosure under a Directive)*

The following section(s) must be included in a Domain Protocol.

E.10.1. EECS Certificates which have expired are no longer valid for transfer.

E.10.2. GOs expire twelve (12) months after the end of the production period of the respective electricity (§ 17 (5) HkRNDV). The production period is in most cases (RLM-metering, cf E.3) one month. The account holder receives a “cancellation warning” two weeks (14 days) before the cancellation may take place. If the account holder does not react UBA automatedly declares the GOs expired. This expired GO may not be used

for disclosure purposes (17 (5) 2 HkRNDV). Expired GOs are reported to the BDEW to be included into the calculation of the German residual mix.

E.10.3. Whether a GO has been cancelled for disclosure purposes (cf E.9) or been declared expired is distinguishable by earmarks.

E.10.4. Currently the law stipulates that UBA "cancels" GOs which are on an account UBA closes due to misconduct of the account holder (§ 31 (3) HkRNDV). Despite that there has not been a single case so far, this inexact formulation will be changed in the course of the recast of the HkRNDV. In the future the law will require that GOs left on a closed account will remain untouched until they expire. Those volumes would also be reported to the BDEW for purposes of the residual mix calculation.

E.11 End of Life of EECS Certificates – Withdrawal

This section must demonstrate compliance with the following EECS Rules:

C5.2.3	*C6.1.1*	*C8.2.1*				

It must describe:

- *what withdrawal means*
- *the circumstances when withdrawal occurs*
  - *to correct an error*

E.11.1. UBA may withdraw GOs which suffer a serious and obvious mistake (§ 17 (6) HkRNDV).

E.11.2. Cancellation and withdrawal are the result of an administrative procedure, especially after a misconduct of the account holder or serious and obvious mistakes. In both cases UBA gives the account holder the opportunity to react after UBA's threat to cancel or withdraw the GOs.

F Issuer's Agents

This section is not required if the roles have been identified and explained in B3.

F.1 Production Auditor

This section must demonstrate compliance with the following EECS Rules:

None directly						

It must describe:

- *the role of the production auditor*
- *the production auditor must be approved by the AIB Member*
- *where the schedule of charges for services can be found (if applicable)*

F.2 Production Registrar

This section must demonstrate compliance with the following EECS Rules:

None directly						

It must describe:

- *the role of the production registrar*
- *the production registrar must be approved by the AIB Member*
- *where the schedule of charges for services can be found (if applicable)*

G Activity Reporting

G.1 Public Reports

This section must demonstrate compliance with the following EECS Rules:

E3.3.4						

It must describe how this is about market transparency and include:

- *the market information published*

G.1.1. UBA publishes statistical information quarterly as defined and required by ER E3.3.4 on http://www.umweltbundesamt.de/themen/klima-energie/erneuerbare-energien/herkunftsnachweise-fuer-erneuerbare-energien

A pdf document for each calendar year is available and updated quarterly. The current statistics for 2017 are accessible here:

https://www.umweltbundesamt.de/sites/default/files/medien/372/dokumente/2017_statistik_des_deutschen_herkunftsnachweisregisters_fuer_strom_aus_erneuerbaren_energien.pdf (German) and https://www.umweltbundesamt.de/sites/default/files/medien/372/dokumente/2017_statistics_of_the_german_register_of_guarantees_of_origin_for_renewable_energy_sources.pdf (English).

G.2 Record Retention

This section must demonstrate compliance with the following EECS Rules:

A11.1.1	*C5.1.2*					

It must describe how this is about market transparency and include:

- *the type and duration of record retention*

G.2.1. UBA keeps record of any data in the registry as well as data outside the registry which concern material communications with EECS Market Participants regarding the registration of Production Devices and the Issue, transfer and Cancellation of EECS GOs for at least ten years.

G.2.2. UBA is subject to German Data Protection Law (§ 9 Federal Data Protection Act),

http://www.gesetze-im-internet.de/englisch_bdsg/index.html.

UBA has to delete data after a period of maximally 10 years if the specific file has been closed. UBA will keep information in electronic and paper files.

G.3 Orderly Market Reporting

This section must demonstrate compliance with the following EECS Rules:

E4.2.5	*E4.2.6*	*E4.2.7*				

It must describe how this is about market transparency and include:

- *non-compliance with the Standard Terms*

- *anti-fraud measures*
- *anti-competitive behaviour measures*

- *provision of information to the AIB*

G.3.1. Based on § 27 (1) No. 2 HkRNDV UBA will notify other Issuing Bodies as well as the AIB about failures of EECS Market Participants to comply with the law which could impact on the recognizeability of EECS GOs from this EECS Market Participant. Such data provision shall however only be permitted if the requirements of §§ 4b, 4c of the Federal Data Protection Act are satisfied (§ 27 (4) HkRNDV).

G.3.2. UBA may freeze an account if there's good reason to suspect that the security, accuracy and reliability of the register are jeopardised; as a rule, this will be the case if there is good reason to suspect that issuance, transfer and cancellation might or will be attempted based on false details (§ 30 (2) No. 1 HkRNDV), if there's good reason to suspect that in connection with use of the account register participants or users have committed or intend to commit a criminal offence (§ 30 (2) No. 2 HkRNDV) or if a register participant has supplied false or wilfully supplied incomplete information with regard to information necessary for opening an account (§ 30 (2) No. 4 HkRNDV). The effect of freezing an account is that no action regarding GOs can be effected on this account (§ 30 (4) HkRNDV).

According to § 34 (4) HkRNDV the register administration shall inform the account holder of the freezing of the account stating the reasons for the measure if possible before the account is frozen. Such warning enables the account holder to dispose of his/her GOs. GOs on a frozen Account otherwise expire according to the general rules. If the Account Holder suffers any damage from this and UBA has caused the damage due to wilful or negligent conduct, UBA will be liable without limitation (Art. 34 of the German Basic Law).

G.3.3. The register administration may close an account if use of the account poses a continuing threat to the security, accuracy and reliability of the register. As a rule, this is the case if it is suspected that in relation to an installation assigned to the account 1. improper data on electricity quantities has been submitted to the register administration, or 2. incorrect verifications by an environmental verifier or environmental verification body have been submitted to the register administration (§ 31 (2) HkRNDV)

G.3.4. The register administration may exclude account holders and users authorised to operate an account from participation in the register if their participation jeopardises the security, accuracy and reliability of the register. As a rule, this is the case if 1. as a result of their use of the register they have committed a criminal offence or have repeatedly committed administrative offences, 2. they have obtained unauthorised access to accounts or other register transactions or have attempted to obtain such, or 3. intentionally or through their negligence they have permitted unauthorised third parties to have access to the account (§ 32 (1) HkRNDV).

H Association of Issuing Bodies

H.1 Membership

This section must demonstrate compliance with the following EECS Rules:

C2.2.6	*C2.2.7*					

It must describe:

- *why the AIB membership is important*
- *what the AIB does to maintain a quality system*
  - *independent and peer reviews*
  - *periodic audits*
  - *suspension of issuing and/or international transfers*
- *what happens to device registrations and issuing if membership for an EECS Product ends*
  - *no further issuing*
  - *all devices de-registered*
  - *registry locked*

H.1.1. The Association of Issuing Bodies is an enabler of European energy certificate schemes. The AIB promotes the use of a standardized system, based on harmonized environment, structures and procedures in order to ensure the reliable operation of European energy certificate systems.

H.1.2. UBA shall stop issuing EECS GOs if it ceases to be the Authorised Issuing Body for GOs. After a transitional period the register will be taken offline. According to § 28 HkRNDV data stored in the register shall be deleted without delay if it is no longer necessary for the operation of the register taking into consideration general data retention obligations and that data may be needed after the register went offline e.g. for the settlement of outstanding payments.

H.2 Complaints to the AIB

This section must demonstrate compliance with the following EECS Rules:

None directly	*(J1.1.2)*					

It must describe:

- *the ability of account holders to make a complaint to the AIB*
- *the circumstances for a complaint to the AIB*

H.2.1. An EECS Market Participant may notify in writing the General Secretary of AIB that:

a) An Authorised Issuing Body in relation to Certificates is in breach of any of the provisions of the regulatory framework; or

b) any Product Rules do not comply with the relevant provisions of the EECS Rules.

and is provided with evidence substantiating such allegation, and evidence that the Authorised Issuing Body has been given adequate opportunity to respond to such

allegation, the General Secretary shall invite the relevant Authorised Issuing Body to respond to the allegation.

I Change Control

I.1 Complaints to [EECS Scheme Member]

This section must demonstrate compliance with the following EECS Rules:

None directly						

It must describe the local complaints procedure:

- *how to make a complaint*
- *how the complaint will be acknowledged*
- *the process for how it might be resolved*
- *how long it might take*

I.1.1. According to Art. 33 HkRNDV measures and decisions of the register administration taken pursuant to that ordinance shall be excluded from the appeals procedure. Therefore measures and decisions pursuant to the HkRNDV can only be directly disputed at court by action of annulment. In contrast, measures and decisions taken by the register administration pursuant to the GO fee ordinance shall be challenged by appeal first before an action to court is admissible.

I.1.2. Beside appeal and action as formal legal remedies, there are informal complaints possible like remonstrance, petition for administrative review and disciplinary complaint which will be dealt with in an internal investigation.

By internal rules UBA must react on informal request and complaints within 10 (ten) work days. Usually answers are given much faster.

I.2 Disputes

This section must demonstrate compliance with the following EECS Rules:

None directly						

It must describe:

- *who can raise a dispute*
- *how to raise a dispute*
- *how the dispute will be acknowledged*
- *the process for how it might be resolved*
- *how long it might take*
- *any arbitration ombudsman/appeals process*

I.2.1. If UBA and the user cannot resolve the complaint courts are competent to do so (§ 33 HkRNDV).

I.3 Change Requests

This section must demonstrate compliance with the following EECS Rules:

E4.2.3	*E6.2.1e*	*L5.1.1*				

It must describe:

- *any participant can make a change request to the domain protocol or standard terms*
- *the process of the AIB member considering the request*
    - *consultation with other participants in the domain*
- *the process of any changed documentation having to be approved by the AIB*
- *how any revised documentation is notified to participants*

I.3.1. The user may ask UBA to make amendments to German Law. UBA then has to start a legislative procedure to change law, especially the HkRNDV. The procedure is laid down in §§ 42 – 61 of the Joint Rules of Procedure of the Federal Ministries (Gemeinsame Geschäftsordnung der Bundesministerien - GGO), http://www.bmi.bund.de/SharedDocs/Downloads/DE/Veroeffentlichungen/ggo_en.pdf;jsessionid=D3FD4A2BFC906129A3EFD1C969E619D3.2_cid287?__blob=publicationFile.

Annex 1: Contacts List

Authorised Issuing Body/Registry Operator

Umweltbundesamt (German Environment Agency – UBA)
Michael Marty
Section I 2.7 – Registry for Guarantees of Origin
Wörlitzer Platz 1
06844 Dessau-Roßlau
Germany
Tel.: +49 340 2103 2249
Fax: +49 340 2104 2249
Mail: hknr@uba.de
www.hknr.de; www.umweltbundesamt.de/energie/hknr/index.htm

Competent Authority (if different from the Authorised Issuing Body)

-

Registry support

See www.hknr.de.

NGC Scheme Operator

None.

Production Registrars

The respective grid operator of a plant.

Production Auditors

Environmental auditors as stated in the data bank of the German inspection body DAU (http://www.dau-bonn-gmbh.de/dauAdrList.htm?cid=209) and registered in the HKNR.

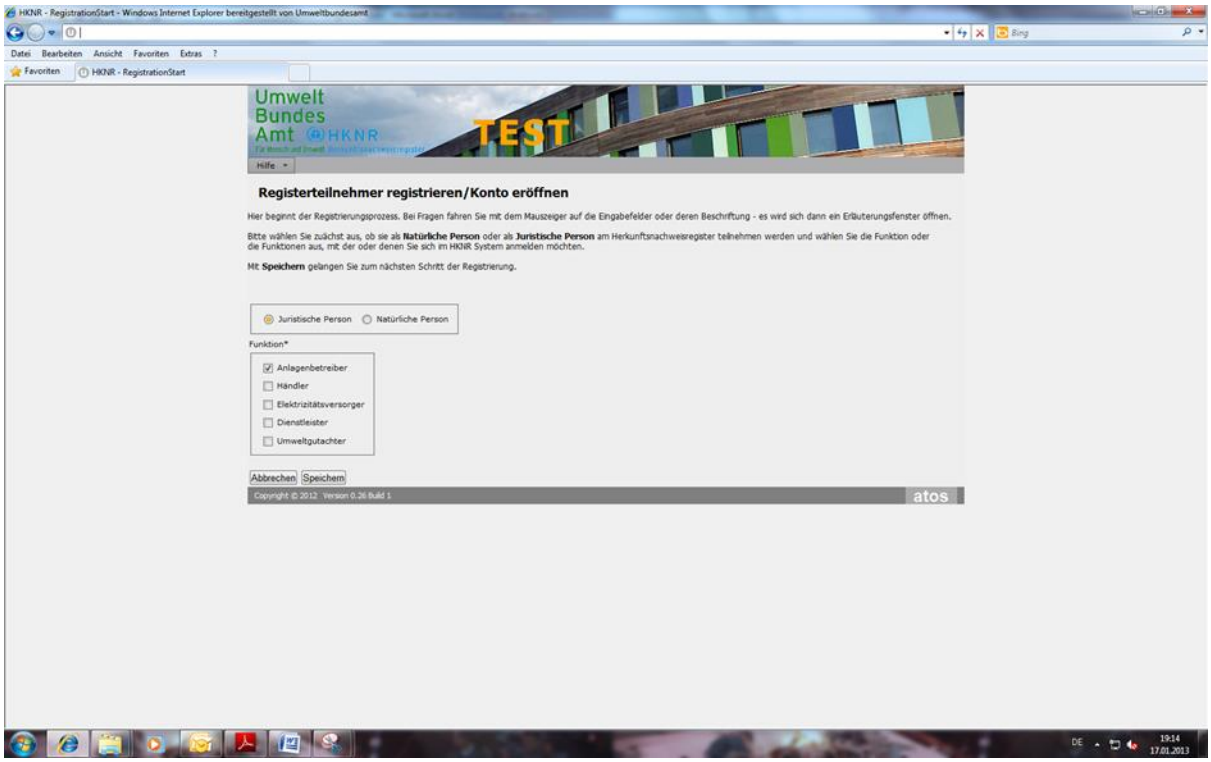
Measurement Bodies

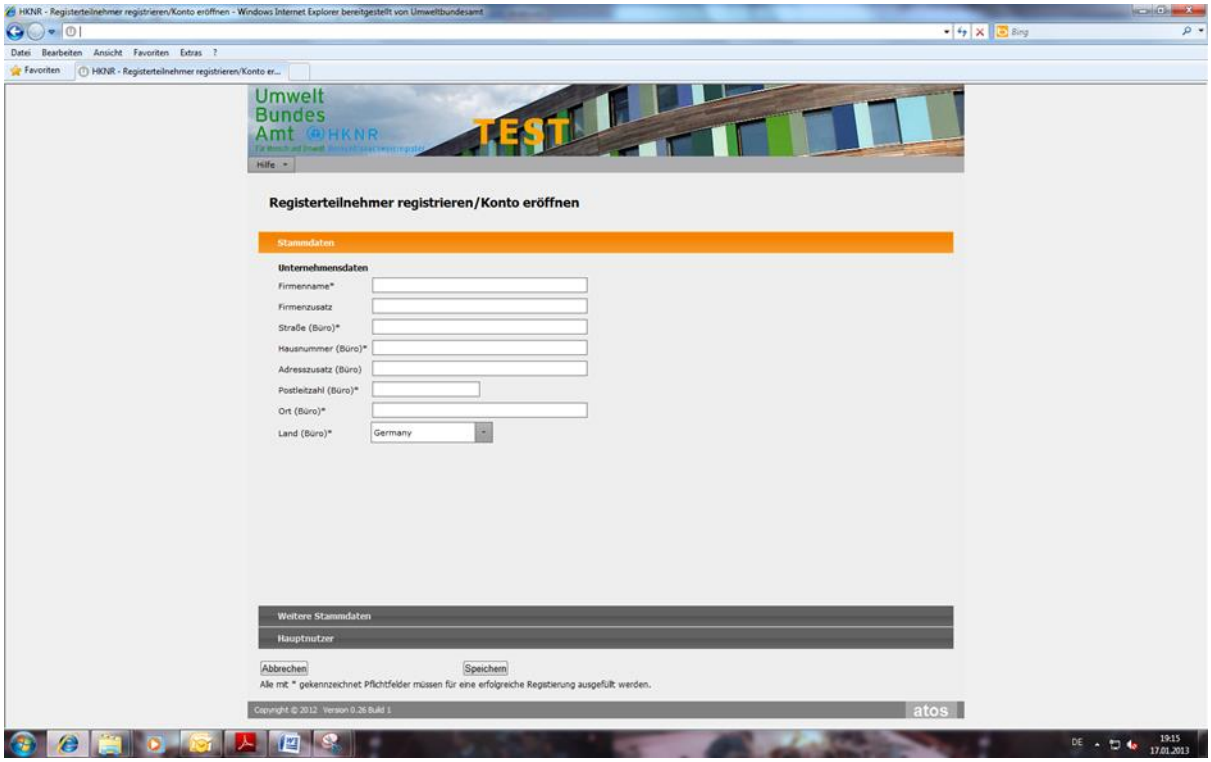
The respective grid operator of a plant; grid operators can be found via the BDEW-Codenummerndatenbank: http://codenummern.strom.de.

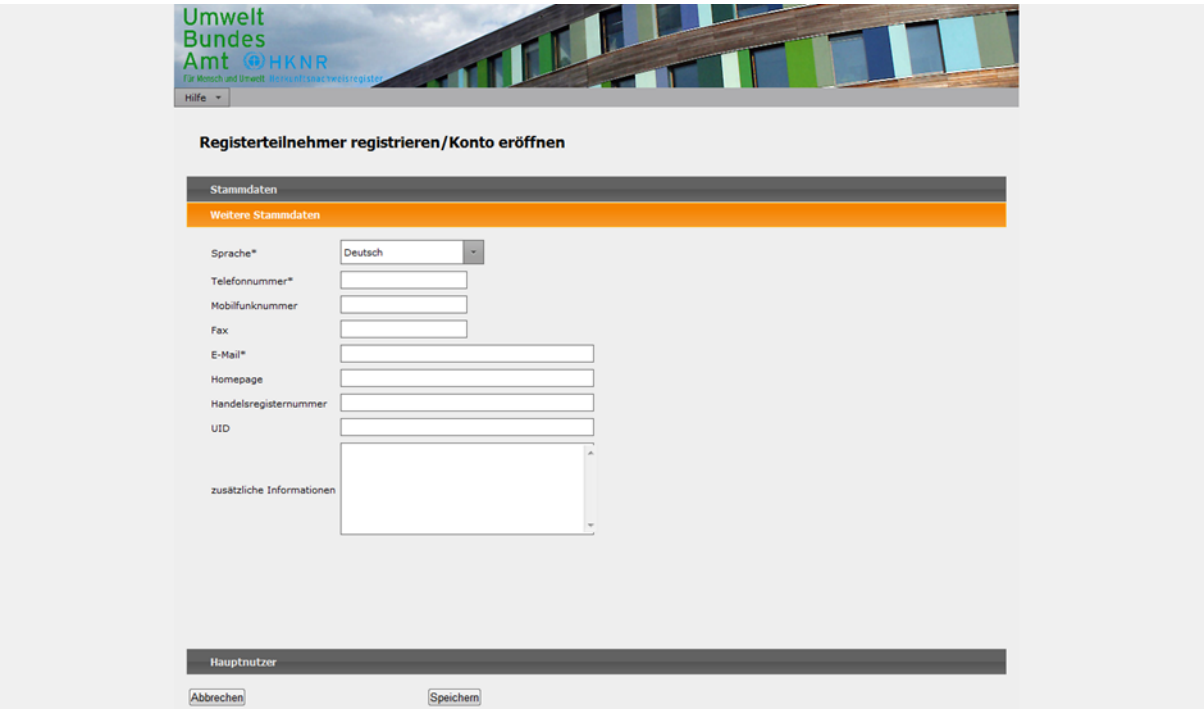
etc.

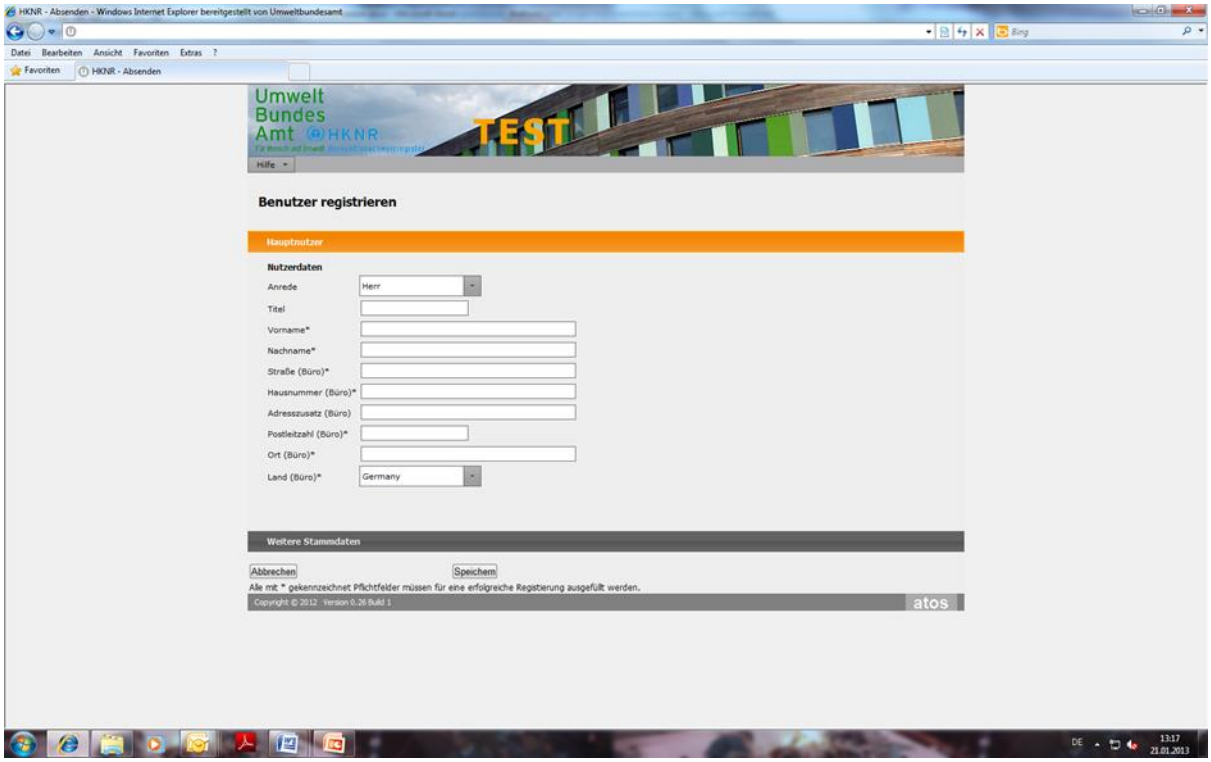
Annex 2: Account Application/Amendment Form

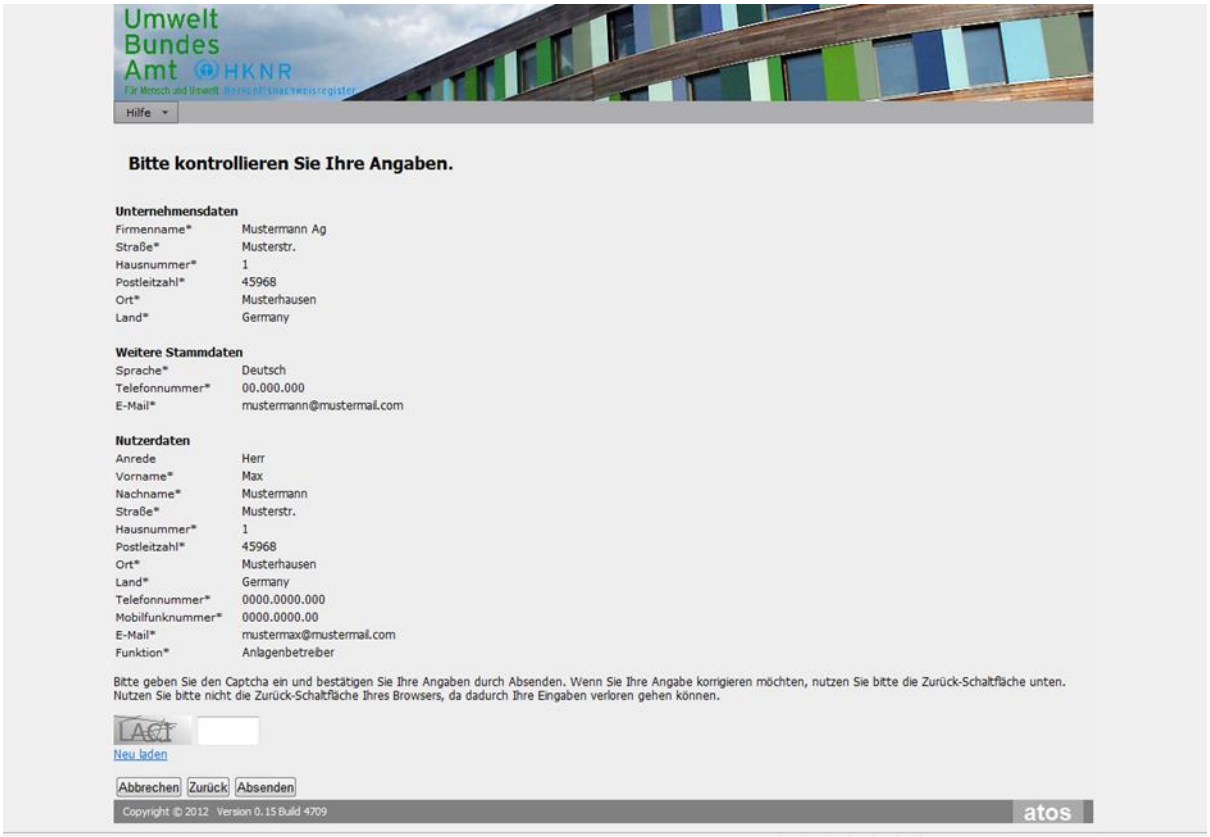
insert a sample of the form here



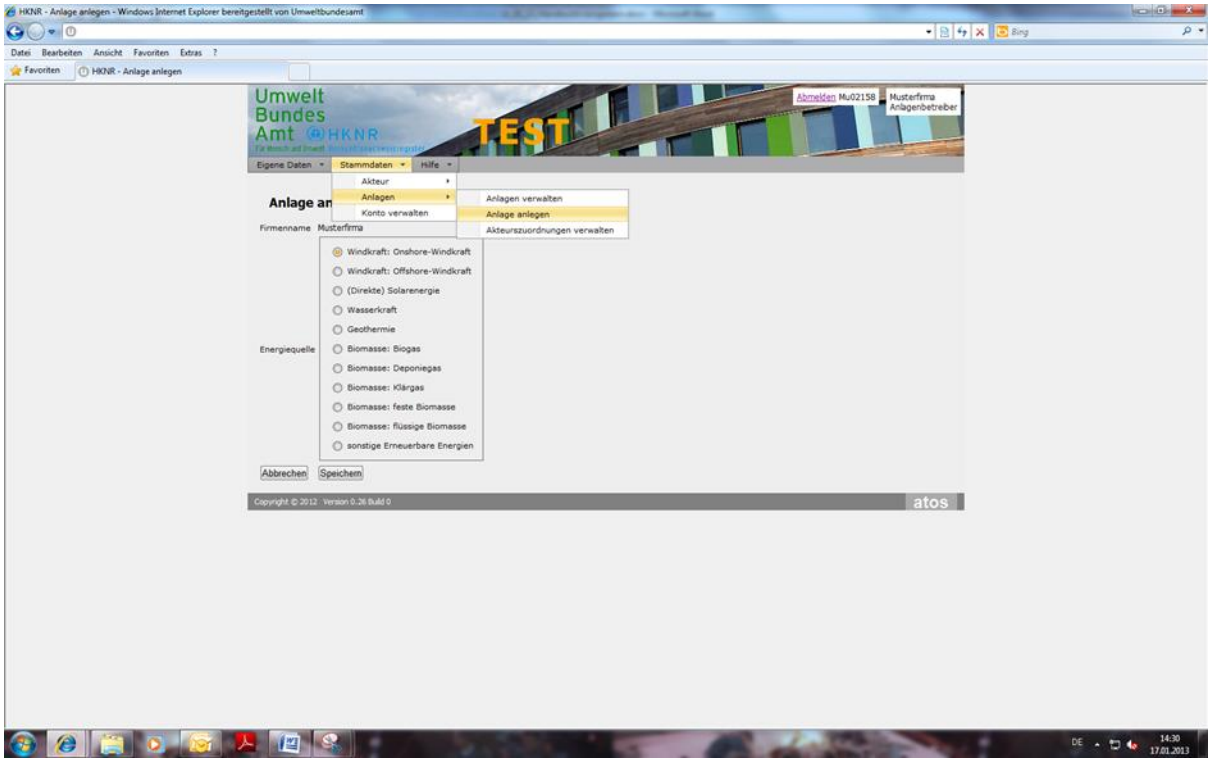


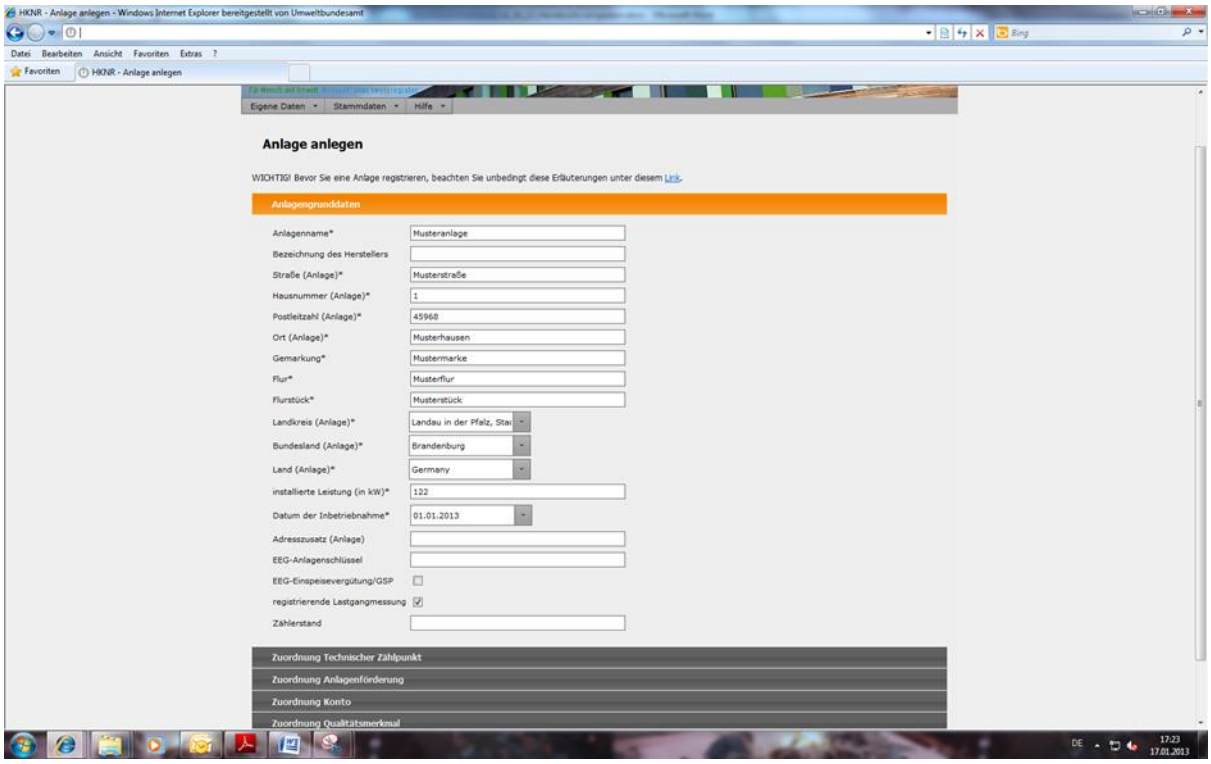

Umwelt
Bundes
Amt
HKNR
Hilfe
Registerteilnehmer registrieren/Konto eröffnen
Stammdaten
Weitere Stammdaten
Sprache*
Deutsch
Telefonnummer*
Mobilfunknummer
Fax
E-Mail*
Homepage
Handelsregisternummer
UID
zusätzliche Informationen
Hauptnutzer
Abbrechen
Speichern

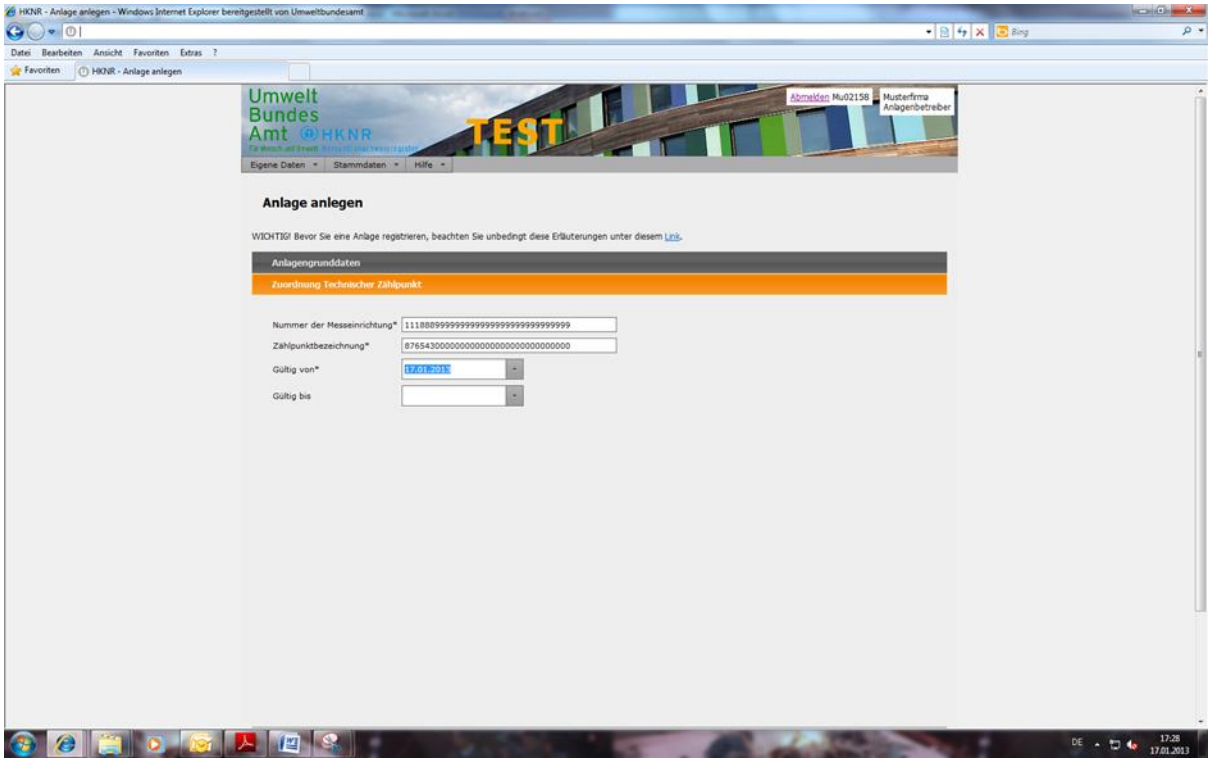

HKNR - Absenden - Windows Internet Explorer bereitgestellt von Umweltbundesamt
Datei Bearbeiten Ansicht Favoriten Extras ?
Favoriten
HKNR - Absenden
Umwelt
Bundes
Amt
HKNR
TEST
Hilfe
Benutzer registrieren
Hauptnutzer
Nutzerdaten
Anrede
Herr
Titel
Vorname*
Nachname*
Straße (Büro)*
Hausnummer (Büro)*
Adresszusatz (Büro)
Postleitzahl (Büro)*
Ort (Büro)*
Land (Büro)*
Germany
Weitere Stammdaten
Abbrechen
Speichern
Alle mit * gekennzeichnet Pflichtfelder müssen für eine erfolgreiche Registierung ausgefüllt werden.
Copyright © 2012 Version 0.26 Build 1
atos
DE
13:17
21.01.2013

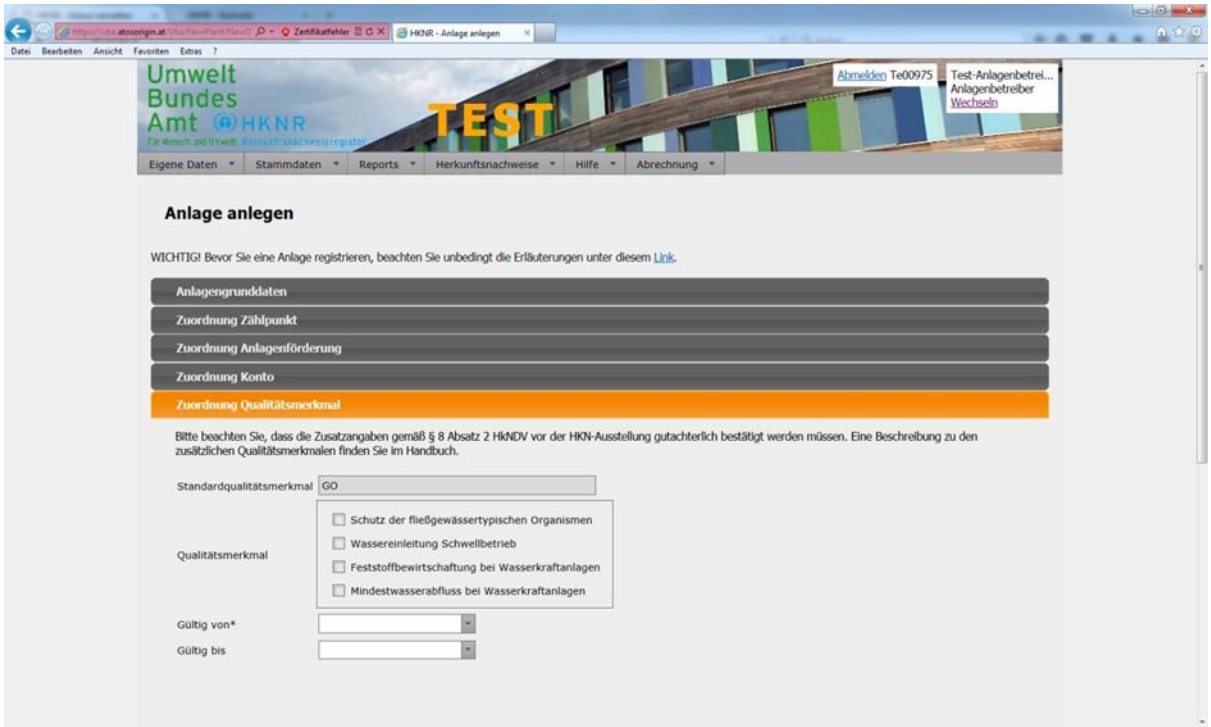

Umwelt
Bundes
Amt
HKNR
Hilfe
Bitte kontrollieren Sie Ihre Angaben.
Unternehmensdaten
Firmenname* Mustermann Ag
Straße* Musterstr.
Hausnummer* 1
Postleitzahl* 45968
Ort* Musterhausen
Land* Germany
Weitere Stammdaten
Sprache* Deutsch
Telefonnummer* 00.000.000
E-Mail* mustermann@mustermail.com
Nutzerdaten
Anrede Herr
Vorname* Max
Nachname* Mustermann
Straße* Musterstr.
Hausnummer* 1
Postleitzahl* 45968
Ort* Musterhausen
Land* Germany
Telefonnummer* 0000.0000.000
Mobilfunknummer* 0000.0000.00
E-Mail* mustermax@mustermail.com
Funktion* Anlagenbetreiber
Bitte geben Sie den Captcha ein und bestätigen Sie Ihre Angaben durch Absenden. Wenn Sie Ihre Angabe korrigieren möchten, nutzen Sie bitte die Zurück-Schaltfläche unten.
Nutzen Sie bitte nicht die Zurück-Schaltfläche Ihres Browsers, da dadurch Ihre Eingaben verloren gehen können.
Neu laden
Abbrechen
Zurück
Absenden
Copyright © 2012 Version 0.15 Build 4709
atos

Annex 3: Device Registration Form

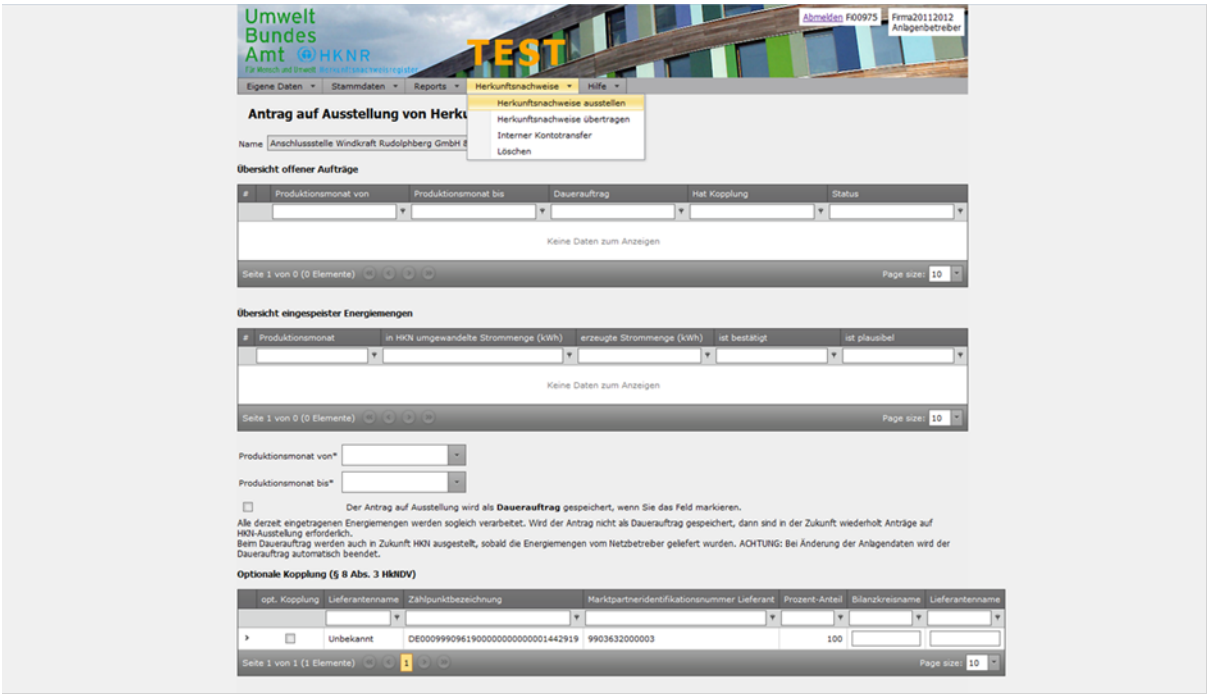


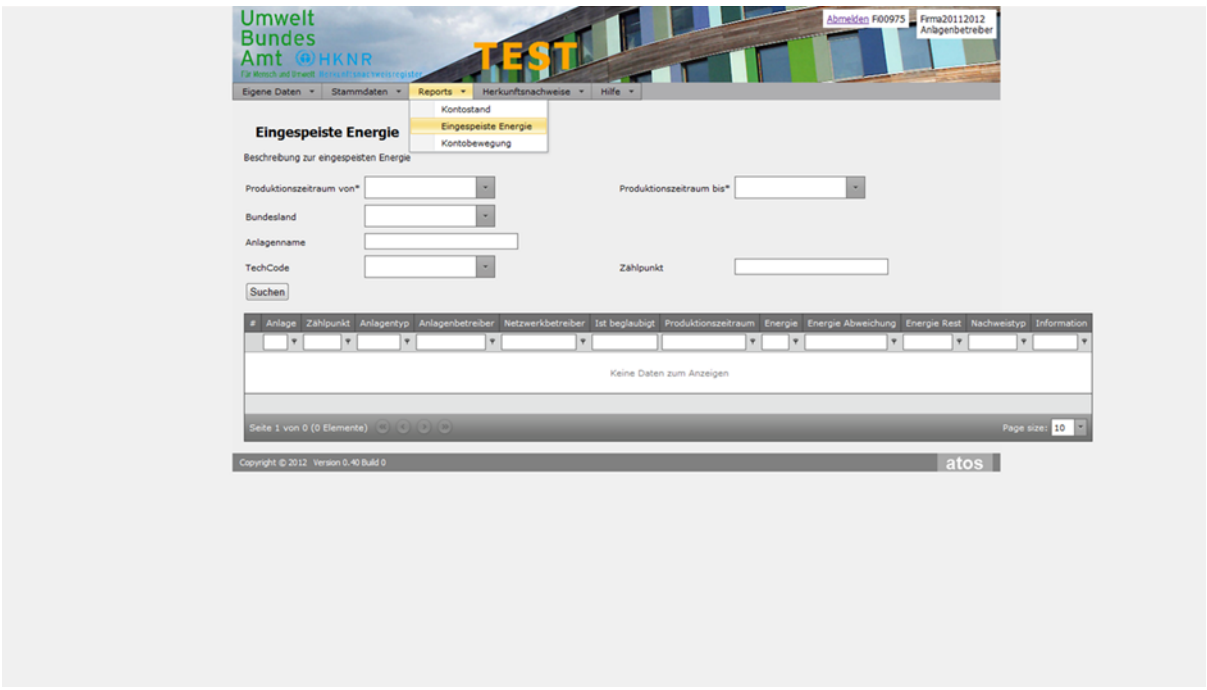



HKNR - Anlage anlegen - Windows Internet Explorer bereitgestellt von Umweltbundesamt
Datei Bearbeiten Ansicht Favoriten Extras ?
Favoriten
HKNR - Anlage anlegen
Umwelt Bundes Amt @HKNR
TEST
Abmelden Mu02158
Musterfirma Anlagenbetreiber
Eigene Daten
Stammdaten
Hilfe
Anlage anlegen
WICHTIG! Bevor Sie eine Anlage registrieren, beachten Sie unbedingt diese Erläuterungen unter diesem Link.
Anlagengrunddaten
Zuordnung Technischer Zählpunkt
Nummer der Messeinrichtung*
Zählpunktbezeichnung*
Gültig von*
Gültig bis


HKNR - Anlage anlegen
Datei Bearbeiten Ansicht Favoriten Extras ?
Umwelt Bundes Amt @HKNR
TEST
Abmelden Te00975
Test-Anlagenbetrei...
Anlagenbetreiber
Wechseln
Eigene Daten
Stammdaten
Reports
Herkunftsnachweise
Hilfe
Abrechnung
Anlage anlegen
WICHTIG! Bevor Sie eine Anlage registrieren, beachten Sie unbedingt die Erläuterungen unter diesem Link.
Anlagengrunddaten
Zuordnung Zählpunkt
Zuordnung Anlagenförderung
Zuordnung Konto
Zuordnung Qualitätsmerkmal
Bitte beachten Sie, dass die Zusatzangaben gemäß § 8 Absatz 2 HkNDV vor der HKN-Ausstellung gutachterlich bestätigt werden müssen. Eine Beschreibung zu den zusätzlichen Qualitätsmerkmalen finden Sie im Handbuch.
Standardqualitätsmerkmal
GO
Qualitätsmerkmal
Schutz der fließgewässertypischen Organismen
Wassereinleitung Schwellbetrieb
Feststoffbewirtschaftung bei Wasserkraftanlagen
Mindestwasserabfluss bei Wasserkraftanlagen
Gültig von*
Gültig bis

Annex 4: Production/Consumption Declaration





Annex 5: EECS Electricity Cancellation Statement

ENTWERTUNGSNACHWEIS

Umwelt Bundesamt | HKNR Herkunftsnachweisregister

ENTWERTET DURCH: TEST-ANLAGENBETREIBER
ERSTELLUNGSDATUM: 18.10.2017
GESCHÄFTSZAHL: 464142
STATUS: durchgeführt

ENTWERTET VON ELEKTRIZITÄTSVERSORGUNGSUNTERNEHMEN:	
Firma:	Test-Anlagenbetreiber
Straße:	Wörlitzer Platz
Nummer:	2
Postleitzahl:	06844
Ort:	Dessau-Roßlau
Staat:	Germany

ENTWERTET FÜR KUNDEN IN DEUTSCHLAND:	
Stromkunde:	AIB Audit
Stromprodukt:	HKN
Anmerkung:	---
Entwertungszweck:	Stromkennzeichnung für 2016

ANZAHL ENTWERTETER HERKUNFTSNACHWEISE:	
Produktionszeitraum:	Oktober 2016
Menge (MWh el):	10
Anzahl entwerteter Herkunftsnachweise:	10

Diese Entwertung von Herkunftsnachweisen entspricht den gesetzlichen Vorgaben zur Stromkennzeichnung gemäß § 42 Energiewirtschaftsgesetz. Demnach muss ein Stromlieferant für direkt vermarktete "sonstige erneuerbare Energien", die nicht aus der EEG-Umlage finanziert worden sind, Herkunftsnachweise verwenden und beim Umweltbundesamt entwerten. Das Herkunftsnachweisregister im Umweltbundesamt setzt die Vorgaben der EU-Richtlinie 2009/28/EG in Deutschland um. Gemäß Art. 15 dieser Richtlinie müssen die Mitgliedstaaten ein elektronisches Register für Strom aus erneuerbaren Energien errichten. Diese Aufgabe überträgt das Erneuerbare-Energien-Gesetz dem Umweltbundesamt (§ 79 EEG 2017). Die Herkunftsnachweise wurden für den oben genannten Endkunden entwertet. Die Entwertung ordnet die Eigenschaft des Stroms als aus erneuerbaren Energien produziert einmalig dem Endkunden zu; die Eigenschaft „aus erneuerbaren Energien produziert" ist mit dieser Zuordnung verbraucht. Der Entwertungsnachweis und die ihm zugrunde liegenden Herkunftsnachweise dürfen nach der Entwertung für den oben genannten Endkunden nicht mehr weiter übertragen werden.

Seite 1 von 2

ENTWERTUNGSNACHWEIS

Umwelt Bundesamt | HKNR Herkunftsnachweisregister

ANLAGENDATEN	
Anlagenname:	Solarstar
Förderung:	Keine Förderung
Internat. Anlagenkennung:	439990210000013555
Ort:	Dessau
Staat:	Germany
Energieträger:	(Direkte) Solarenergie
Inbetriebnahmedatum:	01.09.2009
Installierte Leistung (in kW):	3578

Start Zertifikat	Ende Zertifikat	Produktions-zeitraum	Entwertungs-datum	Qualitäts-merkmal	Kopplung	Menge
43999021500000000000000070438	43999021500000000000000070447	Oktober 2016	27.09.2017	HKN	Nein	10
						Summe: 10