

1 General

- 1.1 Pursuant to section § 9 (5) Electricity Act (*Elektrizitätswirtschaftsgesetz*; hereinafter referred to as “**ELWG**”)¹ in the version amended by the Network Reserve Ordinance (*Netzreserve-Verordnung*; hereinafter referred to as “**Ordinance**”)², APG shall identify congestions in transmission grids and implement measures to avoid, eliminate and overcome congestions in transmission grids. If necessary for the avoidance or elimination of a grid congestion, APG shall, in coordination with the affected distribution grid operators, conclude contracts with operators of generation, consumption and energy storage units as well as aggregators to the required extent and for the required period of time, according to which they are obliged to secured services (increase or restriction of production or consumption). If, on the basis of a system analysis, there is a need for the provision of additional generation capacity or reduced consumption capacity (network reserve), this must be procured in accordance with the provisions of § 144 EIWG.
- 1.2 In accordance with this regulation on the procurement of the network reserve pursuant to § 144 ff EIWG and based on the system analysis carried out by APG pursuant to § 143 (2) to (6) EIWG, APG has identified a need for network reserve for the period specified in the enclosed call for expressions of interest.
- 1.3 In addition to the statutory regulations pursuant to §§ 143 to 146 EIWG, the present tender documents set out the basic principles for the procurement of the network reserve. The expression of interest and the offer are to be prepared on the basis of the following documents:
 - a) Tender documents
 - b) General Terms and Conditions for Network Reserve (AB Netzreserve)
 - c) Call for expressions of interest including forms (1st stage)
 - d) Call for tenders including forms (2nd stage)

By legally signing or electronically signing the expression of interest and/or the offer, the provider accepts without reservation all the provisions of these tender documents.

- 1.4 APG procures the network reserve demand by means of a transparent, non-discriminatory and market-oriented tender procedure, provided the regulatory authority does not make a different decision pursuant to § 4 (1) of the Ordinance. In accordance with § 144 (6) EIWG, a network reserve contract is concluded with the successful providers after approval by the regulatory authority on a civil law basis pursuant to § 144 (7) EIWG. The provider has no legal claim to the conclusion of a network reserve contract. In return for the service provision, the contracted operators receive a fee in the amount of the offer value, which is the price in euros offered for participation in the network reserve. Any EPM activations of the network reserve units are made under the terms and conditions of the agreement on the request for measures for the purpose of congestion management (EPM) according to § 140 (1) EIWG (congestion management agreements) and are compensated separately. Reference is made to the provision in the General Terms and Conditions (Appendix I, Chapter 5). Units that have submitted a notification of decommissioning and have not received a network reserve contract are obliged to decommission the unit ; according to § 145 EIWG, the authority may enforce a decommissioning ban by official decision, providing compensation for the economic disadvantages and costs associated with the provision of the network reserve compared to the costs associated with the decommissioning.

¹ Federal Law Governing the Electricity Industry, Federal Law Gazette Nr 91/2025, as amended.

² Ordinance of the Management Directors of E-Control on Notification Obligations, Tendering Procedure and Products of the Network Reserve, Federal Law Gazette Nr 35/2026, as amended.

2 Tender procedure

- 2.1 APG procures the entire network reserve demand, minus the quantities to be procured via the flexibility platform pursuant to § 142 EIWG and § 5 of the Ordinance, by means of a transparent, non-discriminatory and market-oriented tender procedure. APG will conduct a two-stage procedure (call for expressions of interest including examination of suitability and criteria, as well as invitation to submit offers) in accordance with § 144 EIWG.
- 2.2 Only operators pursuant to § 144 (1) EIWG are eligible to participate in this tender.
- 2.3 The procedural language for the tender procedure and the subsequent service provision shall be German and English, whereby it is sufficient to submit documents in one of these languages. In the event of contradictions between the German and English versions, the German version shall prevail.

3 1st Stage: Expression of Interest

All providers pursuant to § 144 (1) EIWG who intend to participate in the tenders for the procurement of the network reserve may express their interest to APG until the end of the expression of interest period. The call for expressions of interest and the deadline will be published on the APG website.

(<https://www.apg.at/de/markt/Netzreserve/Interessensbekundung>)

Pursuant to § 144 (2) EIWG, the products to be procured to cover the identified network reserve demand include network reserve contracts with a term of one year, seasonal network reserve contracts, and monthly contracts.

In the 1st stage, APG examines the information and evidence provided by the providers for the fulfilment of the participation requirements and the technical suitability criteria (mandatory minimum requirements). These must be fulfilled by the end of the expression of interest period at the latest, with the exception of:

For generation units abroad according to Chapter **Fehler! Verweisquelle konnte nicht gefunden werden.**

- Chapter **Fehler! Verweisquelle konnte nicht gefunden werden.** Congestion management agreement between the affected transmission system operator and APG, which must be available by the start of the contract duration at the latest.
- Confirmation of the notice for decommissioning according to Chapter 1.1c), which must be available by the end of the offer phase at the latest.
- Commitment declaration according to Chapter 1.1d), which must be available by the end of the offer phase at the latest.

For all providers:

- Data provision according to Chapter 3.10, which must be available by the start of the contract duration at the latest.

The suitability of the provider or the unit must be fulfilled for the entire contract duration.

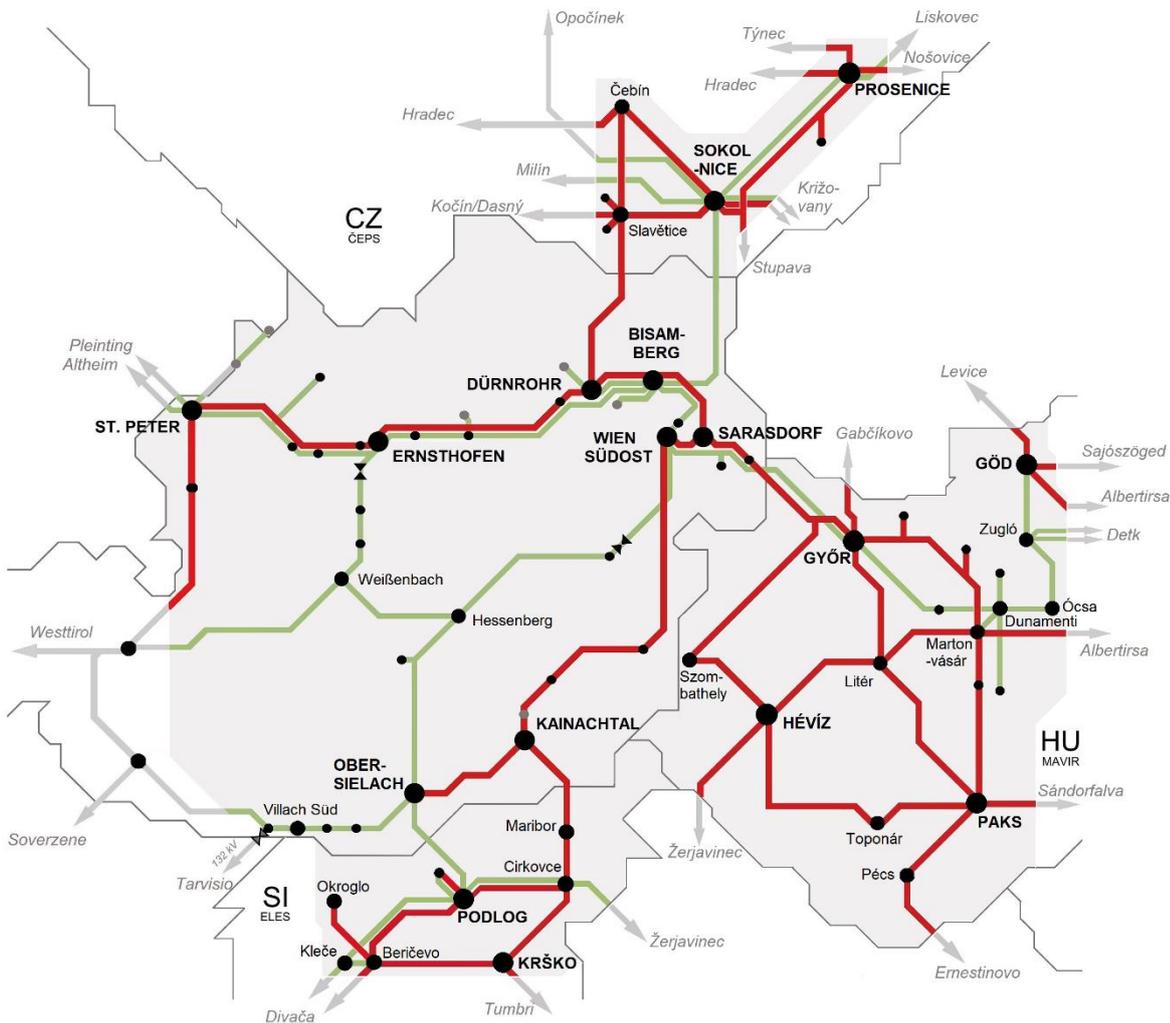
In the second stage of the procedure, only the operators or providers of the units classified as suitable will be invited to submit an offer within a four-week period. Operators of units classified as not suitable will be informed accordingly.

The technical suitability criteria were agreed with the regulatory authority in accordance with § 144 (2) EIWOG 2010.

For the determination of suitability for participation in the tender for the procurement of the network reserve, the following principles and criteria must be strictly observed:

3.1 Grid connection point of the network reserve unit

The feed-in or withdrawal of energy of each network reserve (sub-)unit into or from the 380/220-kV transmission grid of APG or into the 380/220-kV transmission grid that is directly galvanically connected to the APG control area must predominantly (> two thirds) take place in the grid area highlighted in the graphic below.



3.2 Minimum size

- a) A network reserve unit must have a network reserve capacity of at least 1 MW at an ambient temperature of 20°C or below.
- b) Smaller units can be combined by an aggregator as a pool, provided they have a total network reserve capacity of at least 1 MW at an ambient temperature of 20°C or below and the individual technical units meet all other criteria.

3.3 Technology

The tender for the procurement of network reserve is technology-neutral pursuant to § 144 (1) and (4) EIWG. Each network reserve unit must have all necessary permits to fulfil the network reserve capacity.

3.4 Operational criteria for all network reserve units

- a) Lead time – The time until the network reserve capacity is reached from the time of request (e.g., cold start for thermal plants) – may be a maximum of 10 hours.
- b) The time for a new activation (shutdown + minimum standstill time + subsequent start-up until the network reserve capacity is reached) may be a maximum of 18 hours.
- c) Units must be able to continuously supply the offered network reserve capacity to its full extent for at least one hour, even in case of repeated requests (see new activation). This minimum delivery duration increases depending on the de-rating factor chosen for the unit. During the winter period from October to the end of April, this applies to the capacity at 20°C; in the summer period from May to the end of September, for the capacity at 35°C.

3.5 Further operational criteria for generation units in Austria

- a) Units may only be classified as suitable if their emissions do not exceed 550 g CO₂ per kWh of electricity and no radioactive waste is produced.
- b) Operators of generation units > 1 MW must have notified their decommissioning within the tender period in accordance with § 143 (1) EIWG.

3.6 Further operational criteria for consumption units

- a) The unit must have an uninterruptible power demand at least equal to the offered network reserve capacity, with the exception of times of planned unavailability, so that a reduction in the amount of the network reserve capacity is reliably possible.

3.7 Further operational criteria for energy storage units

- a) Units must be able to continuously supply the offered network reserve capacity to its full extent for at least one hour without an intermittent recharge requirement, even in case of repeated requests (see new activation). This minimum delivery duration increases depending on the de-rating factor chosen for the unit.
- b) Operators of energy storage units > 1 MW must have notified their decommissioning within the tender period in accordance with § 143 (1) EIWG.

3.8 Further operational criteria for aggregators

The following operational criteria must be fulfilled by each network reserve subunit:

- a) Generation units may only be classified as suitable if their emissions do not exceed 550 g CO₂ per kWh of electricity and no radioactive waste is produced.
- b) Operators of generation units > 1 MW must have notified their decommissioning within the tender period in accordance with § 143 (1) EIWG.

APG reserves the right to subdivide the units within a pool into subgroups in coordination with the aggregator for optimal redispatch deployment.

3.9 Further operational criteria for generation and energy storage units abroad

- a) For generation and energy storage units abroad, the same operational criteria apply as for generation units in Austria (Chapters 3.4, as well as 3.5 and 3.7 respectively).
- b) APG must be able to directly oblige the affected transmission system operator via a congestion management contract pursuant to § 140 (1)(1) EIWG to provide congestion management.
- c) Operators of generation units and energy storage units > 1 MW must have notified their decommissioning in a manner comparable to § 143 (1) EIWG to their competent transmission system operator or their regulatory authority for the respective tender period; additionally, a corresponding notification via REMIT is required.
- d) Operators of generation and energy storage units abroad must submit a commitment declaration regarding non-participation in the market to their national regulatory authority (NRA) in order to comply with the requirements according to § 144 (7) EIWG.

3.10 Online metering data, schedules, and availability data

Operators are obliged to transmit online metering data as well as schedules and availability data for their network reserve units in accordance with the Electricity Market Code (Schedules). For consumers and pools, the corresponding application of the Electricity Market Code (Schedules) for schedules and availability data will be defined in the congestion management contract to be concluded.

3.11 Documents for the expression of interest

- I. General Terms and Conditions Network Reserve 2026
- II. Tender Documents Network Reserve 2026

The following forms or documents must be attached to the expression of interest in an appropriate form:

- III. Form Expression of Interest 2026

The completed and duly signed form for the expression of interest of the network reserve unit must be submitted. For planned offers for subunits, the information regarding the subunits must also be filled out and submitted. For

aggregators, this includes a list of all units of the pool with the feed-in/withdrawal location of the individual network reserve subunits. For consumption units, proof must be provided that a load reduction at least equal to the network reserve capacity is possible (as an addition to the form).

- IV. From Confirmation Connection Grid Operator 2026
Confirmation by the connection grid operator that the change in power can be securely transported during the offer period, or the notification of any restrictions. If the connection grid operator is APG, APG shall assume the verification and confirmation. This confirmation does not have to be provided by aggregators.
- V. Form Confirmation of Economic Suitability 2026
A declaration by the provider that the provider is not an undertaking in difficulty within the meaning of the Commission Communication on State aid guidelines for rescuing and restructuring non-financial undertakings in difficulty (OJEU. Nr. C 249 on 31.07.2014, 1).
- VI. Form for Participants Abroad 2026 (only necessary for investments abroad)
The following additional confirmations must be submitted for generation and energy storage units abroad:
 - Confirmation from the TSO that contracting as a network reserve unit for APG (no market participation, primary access right by APG, TSO can only call the unit for redispatch via APG) can be approved.
 - Confirmation from the national regulatory authority that contracting as a network reserve unit for APG (no market participation, primary access right by APG, TSO can only call the unit for redispatch via APG) can be approved.
 - Proof from operators of generation units and energy storage units > 1 MW regarding decommissioning notifications in a manner comparable to § 143 (1) EIWG from their transmission system operator or regulatory authority for the respective tender period.
- VII. Form Fulfilment Suitability Criteria 2026
Written assurance that the suitability criteria for data provision according to Chapter 3.10 will be mandatory implemented and fulfilled by the start of the contract duration.
- VIII. Form Confirmation Aggregator 2026 (only necessary for aggregators)
Aggregators must guarantee, after clarification with the respective connection grid operators, that the network reserve capacity will be securely available, taking transport possibilities into account. Restrictions must be indicated on the form
- IX. Form Notification Balance Group Affiliation 2026
Notification of the balance group affiliation.
- X. Contact Form 2026
Contact form for providing details of the key contact persons at APG and the providers, including the relevant power of attorney. Signatory authority must be proven via an excerpt from the commercial register.
- XI. Self-binding declaration 2026 (only for units outside Austria)
Copy of the commitment declaration according to chapter 3.9(d) and a confirmation by the national regulatory agency (NRA), that the commitment declaration has been submitted in a timely manner.
- XII. Form for technical parameters 2026
The form includes technical parameters of the potential network reserve unit.

4 Products

- 4.1 The products to be procured in order to cover the identified network reserve requirement will be announced in accordance with § 144 (2)(3) EIWG in the call for expressions of interest.
- 4.2 The following products and product periods may be used to cover the network reserve requirement:
 - a) Yearly Product
The product period for one-year network reserve products covers one full year, starting on 1 October of the year in which the network reserve procurement is carried out.

b) Summer Product

Summer product with temporary seasonal decommissioning notification:

The maximum product period for the summer product with a temporary seasonal decommissioning notification covers the period from 1 April to 31 October of the year following the year in which the network reserve procurement is carried out.

A tolerance band of one calendar month upward or downward applies for the core period May to September.

At the time of submitting an offer, the provider may choose whether to offer the full period from 1st of April to 31st of October or a shortened product period (hereinafter referred to as “**offer duration**”) within the permitted tolerance band. Any shortening may only occur in whole calendar months, within the tolerance range according to § 6 (1)(134) in conjunction with § 6(1)(153) EIWG.

The following offer durations are possible for the summer product with temporary seasonal decommissioning notification:

- 1st of April until 31st of August
- 1st of April until 30th of September
- 1st of April until 31st of October
- 1st of May until 31st of August
- 1st of May until 30th of September
- 1st of May until 31st of October
- 1st of June until 31st of August
- 1st of June until 30th of September
- 1st of June until 31st of October

After the conclusion of a seasonal network reserve contract, the contract may be partly suspended in accordance with § 2 (2) and § 4 (10) of the Ordinance. A partly suspension is only permitted on a monthly basis and within the tolerance range pursuant to § 6 (1)(134) EIWG. If the provider intends to partly suspend the contract, the provider must notify APG of this no later than one month before the beginning of the tolerance month in accordance with §2(2) of the Ordinance. If the contract duration is partly suspended by the provider after the conclusion of the contract, the provider shall not be entitled to any remuneration for those tolerance months by which the contract period has been partly suspended.

If, in the next year's tender, a provider is awarded a network reserve contract starting on 1 October, while a previously awarded summer product from the current year also includes an October period with a market prohibition, the remuneration for October shall correspond to the lower remuneration of the two applicable contracts, taking into account planned unavailabilities³.

Summer product with temporary or permanent decommissioning notification:

For network reserve units that have submitted either a temporary or a permanent decommissioning notification, the following conditions apply:

- The product period (=contract duration) runs from 1st of April to 30th of September
- The use of tolerance months is not possible

c) Winter Product

The product period for the winter product covers six months, starting on 1 October of the year in which the network reserve procurement is carried out.

³ See definitions under chapter 2 (i) of the Terms and Conditions.

Tender Documents



d) Monthly product

There are twelve monthly products, each covering the period from the first to the last calendar day of a month, starting with October of the year in which the tender is carried out.

Units with a temporary seasonal decommissioning notification may use the months October, April, May, and September as tolerance months.

5 2nd phase: offer phase

5.1 De-Rating

All units are subject to de-rating (0-100%) in the award phase of the offer process pursuant to § 4 (3)(3) of the Network Reserve Ordinance. De-rating factors depend on the maximum possible continuous activation time and apply in a technology-neutral manner to all units. All further calculations are based on the de-rated capacity values. The table in the tender documents specifies the applicable de-rating factors depending on maximum activation duration (1–24 hours). Units capable of continuous operation are assigned a de-rating factor of 100%.

Max duration:	1h	2h	3h	4h	5h	6h	7h	8h	9h	10h	11h	12h
De-Rating:	34%	53%	65%	74%	81%	86%	89%	91%	93%	94%	95%	96%
Max duration:	13h	14h	15h	16h	17h	18h	19h	20h	21h	22h	23h	24h
De-Rating:	96%	97%	98%	98%	98%	99%	99%	99%	99%	99%	100%	100%

5.2 Submission deadline

Providers of units deemed suitable in the expression-of-interest stage shall be invited to submit offers (second stage). Invited providers may submit an offer for the required network reserve capacity until the offer submission deadline. APG will publish the deadline on its website and will notify all operators of suitable units by email.

5.3 Methods of Offer Submission

Offers may be submitted either via the software tool provided by APG or by email. The method chosen by APG will be communicated in the call to submit offers. Once announced, the chosen submission channel is binding for all providers.

5.4 Access to the software tool

If APG selects the software tool for offer submission, providers will be registered in the tool based on the data from the expression-of-interest stage. The following data will be used:

- a) Name of the provider
- b) suitable units
- c) Network reserve capacity of each unit (MW), for winter (20°C) and summer (35°C) periods
- d) Selected or assigned de-rating factor based on maximum activation duration

After registration, APG will send access credentials to the contact person named in the Contact Form (Appendix X). A natural person authorized to sign for the provider must be named. Proof of signatory authority must be provided via an excerpt from the commercial register (or equivalent). If the person named does not have corporate signatory authority, a power of attorney signed by authorized persons must be submitted.

For aggregators, a power of attorney may have to be provided by the authorized representatives of all units in the pool.

5.5 Offer submission via email

If APG opts for email submission, APG will provide the corresponding offer form. The form must be duly signed by authorized representatives of the provider and submitted either in scanned form or with a qualified electronic signature (QES). Proof of signatory authority must again be provided via a commercial register excerpt (or equivalent). If the signatory is not authorized, a power of attorney issued by the authorized corporate representatives must be submitted.

This also applies to aggregators; a power of attorney signed by all authorized representatives of the pool units must be submitted where required.

5.6 Additional information required in the offer

Each offer must additionally include the following information:

- a) The selected product;
- b) The offer value for the entire product duration in euros (excluding VAT).
- c) The planned unavailability of the network reserve unit.

5.7 Planned Unavailability

Providers must provide further flexibility for any planned unavailability exceeding the length of 2 weeks during the offer phase. There must be at least two alternative time periods for each planned unavailability, if possible, in different calendar months and with a shifting potential of at least half the time period. If the alternative time periods are of different lengths, the longest one will be selected for the calculation of the reference value. Costs occurring from the provision of this flexibility cannot be claimed from APG. The exact timing of the planned unavailability will be coordinated with APG⁴. The planned unavailability must be moved upon APG's request in order to cover the network reserve demand.

Offers for units, that do not meet the requirement for this flexibility will be excluded unless the provider can provide evidence, that the flexibility is not possible (f.ex. technical or regulatory requirements). If the total planned unavailability exceeds the maximum allowed under § 4 (1) of the network reserve ordinance, the offer is excluded.

Each planned unavailability must include:

- a) Duration of the unavailability
- b) Affected capacity
- c) Reason for unavailability
- d) Any additional data required by the tender software

5.8 A provider may submit an offer for each product type for which APG has classified the unit as suitable.

5.9 If an offer for a yearly product is made, offers also must be made for the seasonal and monthly products within the product duration. If an offer for a seasonal product is made, offers also must be made for the monthly products within.

5.10 If a part of a unit can technically operate independently, a separate offer may be submitted for each part — provided APG has classified each sub-unit as suitable. However, the total combined offered capacity selected by APG may not exceed the physical maximum capacity of the entire unit.

5.11 Aggregators, whose pool consists of independent units with a network reserve capacity of minimum 1 MW, are obliged to submit individual offers for the concerned units. Chapter **Fehler! Verweisquelle konnte nicht gefunden werden.** is to be applied analogously. Additionally, for generation units with a network reserve capacity greater than 1 MW, a notification of decommissioning pursuant to § 143 EIWG shall be submitted. Units which for technical reasons can only be operated in a pool and not individually can be exempted from the obligation to submit an individual offer after providing justification to APG.

5.12 A provider may combine several submitted offers and submit for those an additional combination offer.

5.13 For combination offers only a single offer value for the entire combination of offers is submitted. The offer values for the individual offers of the combination offer are determined based on the offer value of the entire combination offer, aliquot with respect to the individual offers submitted.

5.14 Partial offers, alternative offers or change offers are inadmissible.

5.15 Offers may be amended or revoked before the end of the offer submission deadline. The date of receipt by APG shall be decisive. The risk of timely receipt of the offer shall be borne by the provider. After expiry of the selection period, the offers are binding for three months.

5.16 The provider undertakes to provide APG by the offer submission deadline with all documents necessary and/or required for the selection procedure without incurring any costs.

5.17 Enclosures to the tender as well as any proofs and certificates from official/public bodies must be enclosed in German or English or, unless they are available in German or English, as a copy and certified translation in the current version.

⁴ When calculating the network reserve demand, APG expects an optimal distribution of planned unavailabilities to keep the demand as small as possible. If bigger planned unavailabilities are necessary, they must be considered in the network reserve demand. The selection of offers is based on the legal requirement to procure the network reserve for least cost according to § 144 (6) EIWG.

- 5.18 Each provider must submit his offer in a concealed manner. Tenders may not be conditional, limited in time or connected with any other ancillary agreement. Offers are made without VAT.
- 5.19 APG acquires the title (under property law) to the offers including all enclosures and all other documents submitted by the providers in the course of the tender procedure. These documents will therefore not be returned to the providers.
- 5.20 Offers must be submitted in full and free of arithmetical and typing errors. These errors shall be borne by the provider.

6 Reference Value

- 6.1 The offers received are reviewed by APG on the basis of reference values. These reference values are calculated as the volume-weighted average of all offers per product category, with the most expensive 10% of the offered capacity excluded from the calculation. If an offer significantly exceeds the reference value for its product category, APG (as control area manager) must report this exceedance to the Regulatory Authority. The definition of what constitutes a significant exceedance will be announced by APG in the call for submission of offers pursuant to § 144 (5) EIWG.
- 6.2 To ensure the highest possible comparability, the monthly specific offer value (EUR per MW per month) is used to calculate the reference values. For each offer, the product duration is reduced by any planned unavailability, and the specific value is calculated accordingly.
- 6.3 Planned unavailabilities must be indicated in hours in the offer. These hours are taken into account when calculating the monthly specific offer value.
- 6.4 The monthly specific offer value is calculated in two steps. As there can be two different capacity values for the winter and summer periods, an intermediate value will be calculated in the first step:

$$AW_{SP,M,ZW} = \frac{AW}{T_{AM} * \left(\frac{T_{AD} - \sum_{n=1}^N T_{RD,n}}{T_{AD}} + \sum_{n=1}^N \frac{P_{res,n}}{P_{ges}} * \frac{T_{RD,n}}{T_{AD}} \right)}$$

$AW_{SP,M,ZW}$	Intermediate value for calculating the monthly specific offer value
AW	offer value for the whole duration
T_{AM}	offer duration in months
P_{ges}	de-rated network reserve capacity in MW (weighted average if mixed summer and winter period for capacities)
T_{AD}	offer duration in hours
N	amount of planned unavailabilities in offer duration
$T_{RD,n}$	Duration of the planned unavailability of the nth unavailability in hours
$P_{res,n}$	available capacity (de-rated) during the nth unavailability in MW

The monthly specific offer value will be calculated from the intermediate value in the second step, which basically represents a weighted average over the months with winter and summer capacity during the offer period:

$$AW_{SP,M} = \frac{\frac{T_{AM,W} * AW_{SP,M,ZW}}{P_{ges,W}} + \frac{T_{AM,S} * AW_{SP,M,ZW}}{P_{ges,S}}}{T_{AM,W} + T_{AM,S}}$$

$AW_{SP,M}$	monthly specific offer value in euro per MW and month
$AW_{SP,M,ZW}$	Intermediate value for calculating the monthly specific offer value in euro per month
$T_{AM,W}$	Amount of months with winter capacity in offer duration
$T_{AM,S}$	Amount of months with summer capacity in offer duration
$P_{ges,W}$	network reserve capacity (de-rated) in MW during the winter capacity period
$P_{ges,S}$	network reserve capacity (de-rated) in MW during the summer capacity period

- 6.5 Under the legal requirements pursuant to section § 23b (5) EIWOG 2010, it is at most necessary for APG to invite all providers to submit new offers.
- 6.6 If an offer according to Chapter 5.10 is available for a unit and a technically associated subunit, the volume weighted average of the monthly specific offer values of all offers concerned shall be used for the calculation of the reference value.
- 6.7 If there are combination offers of multiple units according to chapter **Fehler! Verweisquelle konnte nicht gefunden werden.**, the volume weighted average of the monthly specific offer values of all affected offers shall be used for the calculation of the reference value.
- 6.8 If a second offer round becomes necessary pursuant to § 144 (5) EIWG, the bid prices must be lower than those submitted in the first round. The relevant price is again the monthly specific offer value as defined in Section 6.4. If no offer is submitted in the second round, the offer from the first round is used. Changes to the offer other than the offer value are not permitted in the second round.

7 Selection procedure

- 7.1 The selection of offers is based on the principle that the network reserve demand must be covered at the lowest possible cost pursuant to § 144 (6) EIWG. The selection of bids is carried out by minimizing the sum of the corrected offer values, calculated according to Section 7.4, in order to satisfy the demand.
- 7.2 The products described in Chapter **Fehler! Verweisquelle konnte nicht gefunden werden.** are considered for covering the network reserve demand.
- 7.3 Offers contribute to meeting the demand of the network reserve with their network reserve capacity, in accordance with their location-dependent network-related effectiveness. The effective contribution to the coverage of demand is determined by means of the network reserve capacity P specified in the expression of interest and the location-dependent factor k .

$$P_{effective} = P * k$$

The location-dependent factor k is 100% for the control area APG and the network nodes of the neighbouring transmission networks directly adjacent to it. For more distant locations in the network area defined in 3.1, due to their decreasing effectiveness, reduced values for the factor k must be taken into account for the relevant congestions. The specific factors to be applied will be announced to the participants before the start of the offer phase. The de-rating according to chapter 5.1 will be used independently of the location dependent factor.

- 7.4 To determine the cost of each offer, APG considers the offer value, the duration of planned unavailabilities, and the available (de-rated) capacity during such unavailabilities. The “corrected offer value” reflects the ratio of planned unavailability duration to the offer duration, and the ratio of available (de-rated) capacity during planned unavailability to the total (de-rated) network reserve capacity. A mathematical formulation of the corrected offer value is provided in the appendix “Selection Criteria”, which will be published no later than with the invitation to the offer phase.
- 7.5 Several offers may be submitted for one unit. All offers shall be taken into account according to their corrected offer value. If several offers are submitted for the same physical unit, only one of these offers may be selected in the selection procedure.
- 7.6 Offers from foreign generation plants can be selected only up to the extent of the reliable available transmission capacity (according to the N-1 safety calculation) directly between APG and the respective adjacent TSO.
- 7.7 If the same annual corrected offer value was calculated for two different offers, the offer with the higher actual availability period is preferred. If the availability periods are also the same, the offer with the lower specific CO₂ emissions (in gCO₂/kWhel) is preferred.
- 7.8 Only after receiving approval from the Regulatory Authority pursuant to § 144 (6) EIWG—and in accordance with the criteria in § 144 (7) EIWG—will APG conclude a network reserve contract or seasonal network reserve contract with the selected providers. There is no legal entitlement to the conclusion of a network reserve contract.

8 Exclusion from the Selection Procedure

APG reserves the right to exclude inadmissible offers from the selection procedure. An offer is considered inadmissible if any of the following conditions apply:

- a) The statutory or regulatory requirements, or the requirements under chapter 5 are not fulfilled.
- b) The provider has intentionally or with gross negligence submitted offers based on false information or has provided false evidence or declarations either in the present tender procedure, or in a previous tender procedure.
- c) The provider has entered into agreements with other providers or third parties concerning offer values, offered capacities or any other arrangement amounting to anti-competitive collusion – whether in this tender procedure or in a previous one.

9 Publication

With the exception of the offer value, APG reserves the right to publish all data received from the providers, insofar as such publication is necessary to fulfil state-aid transparency requirements.

APG will share the data received from providers with the Regulatory Authority, for the purpose of supervising the network reserve.

10 Other Correspondence

Correspondence between APG and the providers during the tender procedure shall be conducted exclusively by email via netzreserve@apg.at.

11 Enquiries

Enquiries must be submitted in German or English and must be received within the enquiry period by email at netzreserve@apt.at.

All enquiries will be collected, anonymised, answered, and made available on the APG website. Providers are obliged to take these responses and any corrigenda into account and to incorporate them into their expression of interest and their offer.

To ensure equal treatment, enquiries must be formulated in such a way that the identity of the sender cannot be inferred.

Enquiries that are not submitted electronically will not be considered in order to ensure equal treatment and will therefore be deemed not submitted.

12 Compensation for the Preparation

For participation in the tender procedure (first and second stage), as well as for preparing the expression of interest, including the preparation of all required documents and for preparing the offer, including all associated requirements, the provider shall not receive any compensation or reimbursement of expenses, regardless of whether the provider is invited to submit an offer, or the provider's offer is accepted or not.

13 Ambiguities in the Documents

APG reserves the right to issue corrections and amendments to the tender documents within both the expression-of-interest period and the offer submission period. These corrections or amendments will be communicated in writing to all interested companies/providers. If necessary, APG will extend the relevant deadlines. Providers are obliged to take such corrections or amendments into account when submitting their expression of interest and their offer. If, during the review of the tender documents, the provider identifies contradictions, other ambiguities, or (suspected) violations of statutory provisions, the provider must notify APG immediately.

14 Material Changes

APG reserves the right to refrain from awarding the network reserve and to revoke the procedure in the event of a significant change in the economic, technical or legal framework conditions (in particular in the event of a massive overrun of the funds release or a significant change in its organisational structure).

If the regulatory authority rejects the submitted selection and does not grant approval pursuant to § 144 (6) EWG, this constitutes a permissible ground for revocation for APG.

APG expressly reserves the right to issue another or renewed tender procedure to section 144 EIWG in the event that a new or additional network reserve demand is identified.

15 Confidentiality / Non-Disclosure

The provider undertakes to maintain confidentiality regarding business and trade secrets of APG during, as well as after, the execution or termination of the tender procedure. This confidentiality obligation applies without geographical or temporal limitation and also applies to companies affiliated with the provider. Furthermore, the provider undertakes not to disclose to the media—until the selection decision has been made—any information regarding the fact of its participation, the status, or any other circumstances of the tender procedure. A violation of this confidentiality obligation may lead to the exclusion of the provider from the tender procedure. The provider must ensure that these obligations are also passed on to all third parties involved by the provider. APG will maintain the confidentiality of all information concerning the providers and their documents, except for publications pursuant to Chapter 9.