

IV. ANNOUNCEMENT OF APPEAL¹

Case: A-008-2021

Appellant: **vp Energieportfolio UG (haftungsbeschränkt)**

Appeal received on:

Subject matter: REMIT fees for RRM B00039142.DE - DEBIT note 4440210106 - objection

Keywords: REMIT fees

Contested decision

Number: DEBIT note 4440210106

Language of the case: English

Remedy sought by the Appellant (including procedural requests)

The Appellant requests the Board of Appeal to:

- nullify DEBIT note 4440210106 in its entirety

The Appellant includes the following procedural requests:

Pleas in law and main arguments

The contested decision was adopted on 28.01.2021

The Appellant contests the Agency's decision. The Appellant's claims and arguments can be summarised as follows:

The COMMISSION DECISION (EU) 2020/2152 of 17 December 2020

1. is not based on the Treaty on the Functioning of the European Union,
2. is not based on Article 32(2) of Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019,
3. is subject to erroneous discretion.

Therefore DEBIT note 4440210106 being an individual decision of ACER is invalid.

¹ Announcement published in accordance with Article 9 of Decision BoA No1-2011 Laying down the rules of organisation and procedure of the Board of Appeal of the Agency for the Cooperation of the Energy Regulators.

Date of Submission: 05.02.2021	Name: Benedikt Schuler	Signature:
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Further information

More information on the appeal procedure can be found on the 'Appeals' section of the Agency's website:

https://www.acer.europa.eu/en/The_agency/Organisation/Board_of_Appeal/Pages/Procedural-Documents.aspx

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