

Application form for a licence to provide flexibility services or a licence to provide aggregation services

1 Preliminary information

1.1 Purpose of this form

This form allows you to apply for a licence to provide flexibility services or a licence to provide aggregation services, which are required for all flexibility service providers and aggregators, respectively.

1.2 Legal basis

This form has been drawn up in accordance with:

- the Order of the Government of the Brussels-Capital Region of 30 May 2024 on licences to provide flexibility services and aggregation services and amending the Order of the Government of the Brussels-Capital Region of 18 July 2002 laying down the criteria and procedure for granting, renewing, transfer and withdrawal of a licence to supply electricity, and the Brussels-Capital Region Government Decree of 6 May 2004 establishing the criteria and procedure for granting, renewing, transfer and withdrawal of a gas supply licence and amending the decree of the Government of the Brussels-Capital Region of 18 July 2002 establishing the criteria and procedure for granting, renewing, transferring and withdrawing an electricity supply licence.

Article 9 §3 of the decree of 30 May 2024 authorises BRUGEL to establish and impose a standard application form for licences.

1.3 Where should this form be sent?

You can send this form with the supporting documents in writing:

- Either to the email address: info@brugel.brussels
- Or by post to BRUGEL's headquarters: Avenue de l'Astronomie 14, 1210 Brussels;

Any questions prior to submitting this form can be sent to: price@brugel.brussels , or by telephone on +32 (02) 563 02 00 – BRUGEL's main telephone number.



2 Identification of the applicant and signature

If the applicant is a natural person

Surname	<i>Surname</i>
First name	<i>First name</i>
Occupation	<i>Occupation</i>
Home	<i>Full address</i>
Nationality	<i>Nationality</i>
Email	<i>Email</i>
Tel.	<i>Telephone</i>

If the applicant is a legal entity

Company name	<i>Company name</i>									
Legal form (SA, SRL, etc.)	<i>Legal form</i>									
Street, number, post office box	<i>Street, number, post office box</i>									
Postcode and town	<i>Postcode, town</i>									
Country	<i>Country</i>									
Company number (Crossroads Bank)										
Person duly authorised to represent the company in connection with this licence application	Name	<i>Surname</i>								
	First name	<i>First name</i>								
	Position	<i>Position</i>								
	Email	<i>e-mail</i>								
	Tel.	<i>Telephone</i>								
Contact person for processing the file	Surname	<i>Surname</i>								
	First name	<i>First name</i>								
	Position	<i>Position</i>								
	Email	<i>Email</i>								
	Tel	<i>Telephone</i>								



Please provide the latest approved version of the company's consolidated articles of association (Appendix 1)

Please provide documents certifying the powers of the signatories to the application, or failing that, a sworn statement by the person representing the company in connection with this licence application, certifying the accuracy of the information provided in this file (Annex 2).

Done at *Please indicate the place.*

On the date of *Click here to enter a date.*

Your signature

Surname, first name



3 Information about the nature of your licensed activity

Target market segment(s)	Please provide a detailed description of the types of services, target markets, target customer , and planned business volume for the next three years (Appendix 3).
Activity	When do you plan to actively start your licensed activity? Quarter year
	Do you plan to operate commercially under a name other than that of the company? <i>Veillez sélectionner la réponse</i> If so, which one? <i>Please specify the brand(s) you are considering</i>
	If your business contact details differ from those of your registered office or place of business, what will they be? <i>Please provide these business contact details (address, telephone number, etc.)</i>



4 Licence application details

4.1 Type of licence(s) requested

☐ General flexibility services licence	☐ General ☐ limited <i>granted to an end customer to provide flexibility services directly from their own facilities and without going through an intermediary</i>	See section 5 See section 6
☐ Licence to provide aggregation services		See section 5

Do you already hold a Brussels licence to supply electricity?

☐ If yes: see section 5.3

☐ If not, do you already hold a licence to provide flexibility services or a licence to provide aggregation services granted at federal level, in another region or in another Member State of the European Economic Area or, where applicable, in a third country with which the European Union and its Member States have concluded an international agreement on electricity?

☐ If yes: see section 5.2 or, if applicable, 6.2

☐ If not, do you have a flexibility contract with at least one network operator before 20 July 2024

☐ If yes: see section 5.4

☐ If not: see section 5.1 or, where applicable, 6.1



5 Documents to be submitted as part of an application for a licence to provide general flexibility services or a licence to provide aggregation services

5.1 Standard procedure

5.1.1 Location

If the applicant is a legal entity, this criterion is demonstrated by means of the address of the company's registered office as stated in the latest approved version of the consolidated articles of association of the company already requested above (Annex 1).

If the applicant is a natural person, this criterion is demonstrated by means of a certificate of principal residence (Annex 4).

5.1.2 Legal and managerial autonomy

List of documents to be provided:

- a sworn statement certifying that the members of the management bodies and, where applicable, the management of the flexibility service provider or aggregator are independent of the transmission system operators, local transmission system operators and distribution system operators active in the Brussels-Capital Region (Annex 5). An independent person is defined as any person who:
 - 1° does not perform any function or activity, whether remunerated or not, in the service of a network operator;
 - 2° does not receive any material benefit from a network operator or from a related or associated company that is likely to influence their judgement.

5.1.3 Good repute of the applicant

List of documents to be provided by legal persons:

- a criminal record extract (or equivalent) covering a period of 5 years and dated less than 3 months prior to the date of submission of the application proving the absence of a final conviction for an offence affecting, by its nature, your professional integrity (Appendix 6);
- a judicial/administrative certificate (or equivalent) dated less than 3 months prior to the date of application, proving that you have not suspended or ceased your activities, declared bankruptcy, been subject to liquidation proceedings, bankruptcy or judicial reorganisation, nor be in a similar situation resulting from a similar procedure under national legislation or regulations, nor be involved in ongoing proceedings that could lead to any of these outcomes (Annex 7);
- a certificate of payment of social security contributions imposed by Belgian (ONSS) or foreign legislation, dated less than 3 months prior to the date of submission of the application (Appendix 8);
- a certificate of payment of direct and indirect taxes, dated less than three months prior to the date of submission of the application (Appendix 9).



5.1.4 Organisational and technical capabilities

List of documents to be provided:

- a description of the technical means envisaged for managing flexibility or, where applicable, aggregation (Appendix 10);
- a description of the technical means envisaged by you or, where applicable, by your subcontractor, to ensure your responsibility for balancing (Annex 11);
- a description of the means implemented to comply with the provisions of the order and technical regulations, in particular those relating to information exchange procedures between market participants (Appendix 12).

If the applicant is assisted in its licensed activity by a subcontractor in order to have sufficient organisational and technical capacity, it shall send BRUGEL a copy of the contract concluded with that subcontractor (Annex 13).

5.1.5 Customer management capacity

List of documents to be provided:

- a description of the resources, including technical resources, used to fulfil commitments made to your customers in terms of flexibility or aggregation services and to provide high-quality customer service (Annex 14).

5.2 Specific provisions for holders of a licence to provide flexibility services or a licence to provide aggregation services granted at federal level, in another region or in another Member State of the European Economic Area or, where applicable, in a third country with which the European Union and its Member States have concluded an international agreement on electricity

In this case, an exemption from Section 5.1 is provided for by order. Only the following list of documents is to be provided :

- a copy of the licence granted at federal level, in another region, in another Member State of the European Economic Area or, where applicable, in a third country with which the European Union and its Member States have concluded an international agreement on electricity or gas (Annex 15);
- If the applicant is a natural person, a certificate of principal residence (Annex 4)

5.3 Specific provisions for holders of a Brussels electricity supply licence

5.1 In this case, an exemption from section 5.1 is provided for by decree, and only the following document needs to be provided:

- A copy of the applicant's electricity supply licence (Annex 17)



5.4 Specific provisions for holders of a flexibility contract concluded with at least one network operator before 20 July 2024

In this case, an exemption from section 5.1 is provided for by decree, and only the following documents need to be provided:

5.4.1 Location

If the applicant is a legal entity, this criterion is demonstrated by means of the address of the company's registered office as stated in the latest approved version of the company's consolidated articles of association already requested above (Annex 1).

If the applicant is a natural person, this criterion is demonstrated by means of a certificate of principal residence (Annex 4).

5.4.2 Legal and managerial autonomy

List of documents to be provided:

- a sworn statement certifying that the members of the management bodies and, where applicable, the management of the flexibility service provider or aggregator are independent of the transmission system operators, local transmission system operators and distribution system operators active in the Brussels-Capital Region (Annex 5). An independent person is defined as any person who:
 - 1° does not perform any function or activity, whether remunerated or not, in the service of a network operator;
 - 2° does not receive any material benefit from a network operator or from a related or associated company that could influence their judgement.

5.4.3 Organisational and technical capabilities

List of documents to be provided:

- a description of the technical means envisaged for managing flexibility or, where applicable, aggregation (Annex 10);
- a description of the technical means envisaged by you or, where applicable, by your subcontractor, to ensure your responsibility for balancing (Annex 11);
- a description of the means implemented to comply with the provisions of the order and technical regulations, in particular those relating to information exchange procedures between market participants (Annex 12).

If the applicant is assisted in its licensed activity by a subcontractor in order to have sufficient organisational and technical capacity, it shall send BRUGEL a copy of the contract concluded with that subcontractor (Annex 13).

5.4.4 Customer management capacity

List of documents to be provided:



- a description of the resources, including technical resources, used to fulfil commitments made to your customers in terms of flexibility or aggregation services and to provide high-quality customer service (Annex 14).

5.4.5 Flexibility contract

List of documents to be provided:

- A copy of the flexibility contract concluded with the network operator before 20 July 2024 and, where applicable, its period of validity



6 Documents to be submitted as part of an application for a licence to provide limited flexibility services

6.1 Standard procedure

6.1.1 Criteria relating to the limited licence

List of documents to be provided:

- a sworn statement certifying that the applicant uses only its own facilities to offer flexibility services (Annex 16).

6.1.2 Organisational and technical capabilities

List of documents to be provided:

- a description of the technical means envisaged for flexibility management or, where applicable, aggregation (Annex 10);
- a description of the technical means envisaged by you or, where applicable, by your subcontractor to ensure your responsibility for balancing (Annex 11);
- a description of the means implemented to comply with the provisions of the order and technical regulations, in particular those relating to information exchange procedures between market participants (Appendix 12).

If the applicant is assisted in its licensed activity by a subcontractor in order to have sufficient organisational and technical capacity, it shall send BRUGEL a copy of the contract concluded with that subcontractor (Annex 13).

6.2 Specific provisions for holders of a licence to provide flexibility services or a licence to provide aggregation services granted at federal level, in another region or in another Member State of the European Economic Area or, where applicable, in a third country with which the European Union and its Member States have concluded an international agreement on electricity

In this case, an exemption from Section 6.1 is provided for by order. Only the following documents need to be provided :

- a sworn statement certifying that the applicant uses only its own facilities to offer flexibility services (Annex 16);
- a copy of the licence granted at federal level, in another region, in another Member State of the European Economic Area or, where applicable, in a third country with which the European Union and its Member States have concluded an international agreement on electricity or gas (Annex 15);
- If the applicant is a natural person, a certificate of primary residence (Annex 4)