

ACER



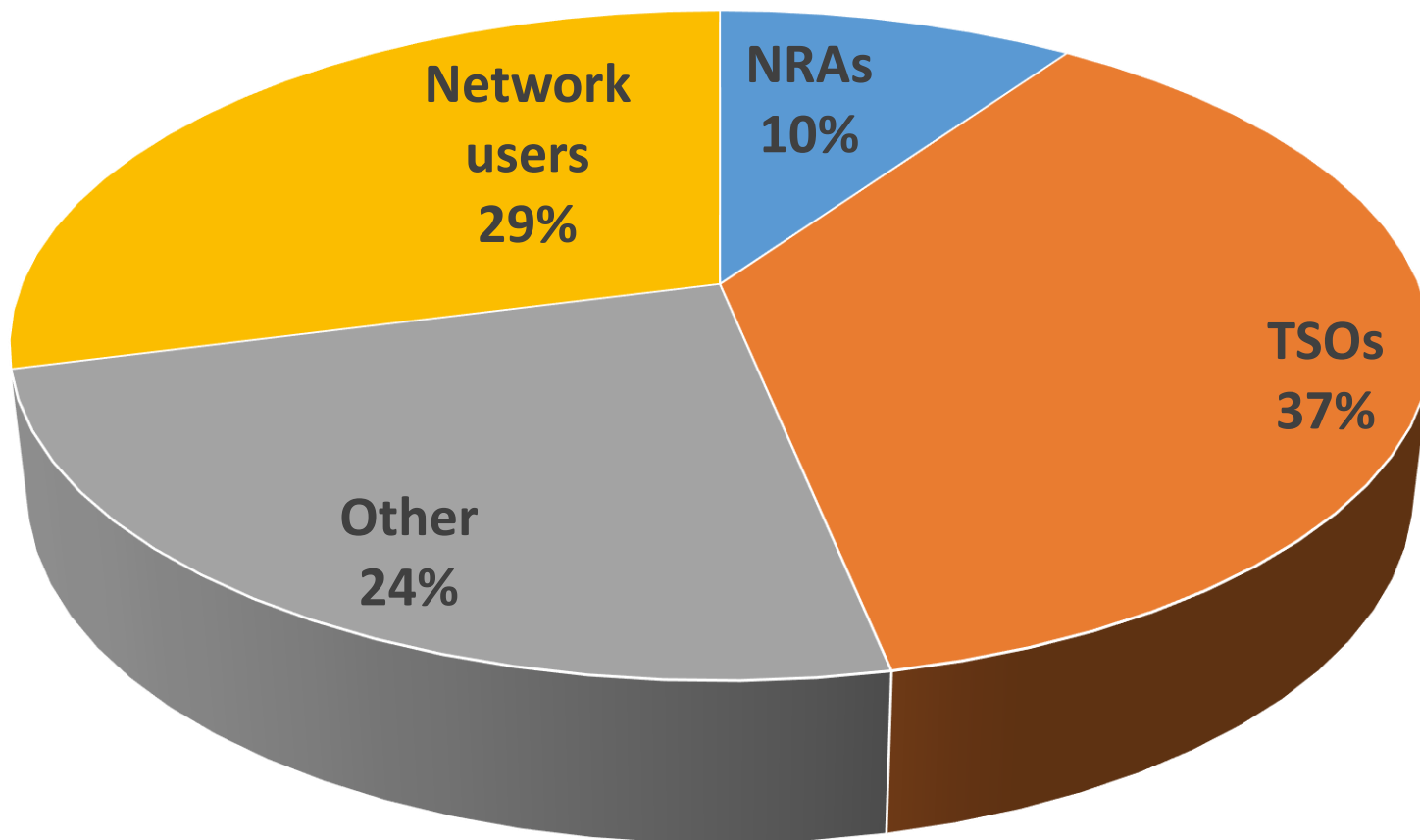
Agency for the Cooperation
of Energy Regulators

ACER's Workshop on Conditionalities on Firm Capacity

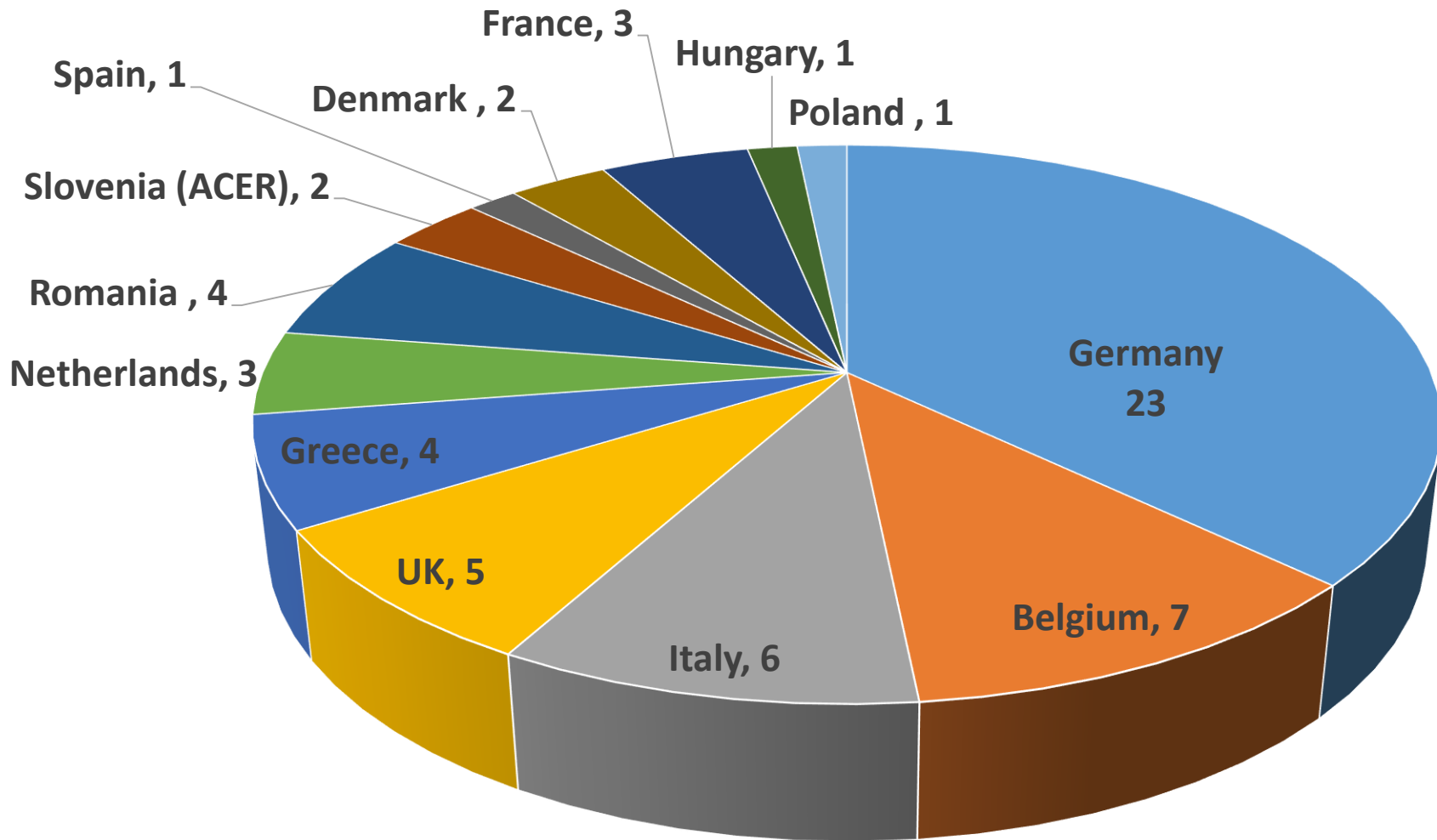
Gas Network Codes Team

Stakeholders workshop, Brussels, 4 December

Participants (62) by institution



Participants by country (13)



COMMISSION REGULATION (EU) 2017/459 - CAM Network Code -

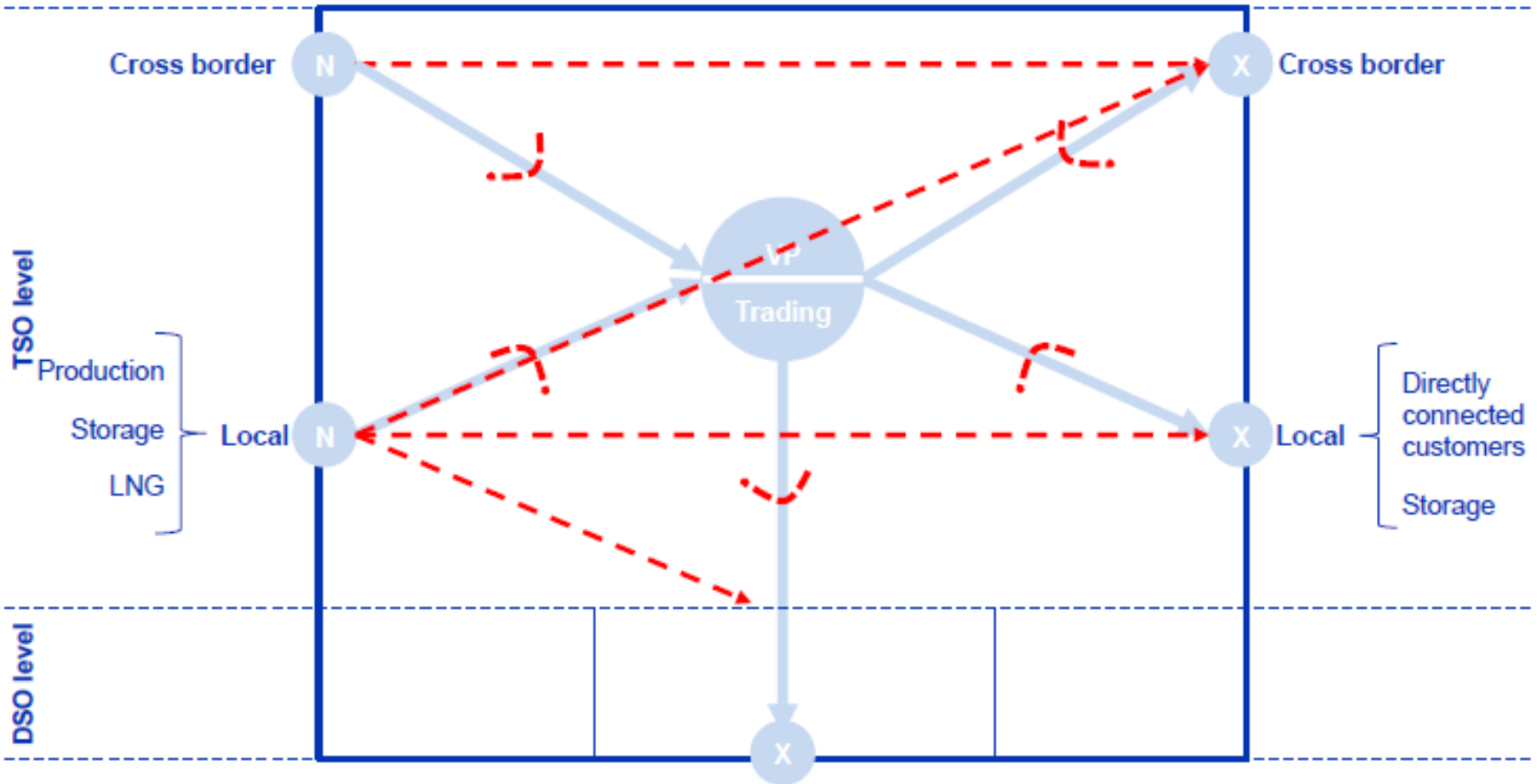
Implementation monitoring (art 38.4)

*"Before 6 April 2019, **the Agency shall**, in the framework of its monitoring tasks, **report on the conditionalities stipulated in contracts for standard capacity products for firm capacity, having regard to their effect on efficient network use and the integration of the Union gas markets.** The Agency shall be supported in its assessment by the relevant national regulatory authorities and transmission system operators."*

At the foundation of the 3rd gas package: the entry-exit system

Gas Regulation 715/2009

- **Recital 19** → “[...] it is vital that gas can be traded independent of its location in the system. The only way to do this is to give network users the **freedom to book entry and exit capacity independently**, thereby creating gas transport through zones instead of along contractual paths.”
- **Art 13 (1)** → “network charges shall not be calculated on the basis of contractual path”



Source: Study on Entry-Exit Regimes in Gas, Part A: Implementation of Entry-Exit Systems -- KEMA

Assessing the existence, extent, and application of conditions on firm capacity that limit the functioning of the full entry-exit systems in EU MSs

- **Restriction to firmness and allocability** of firm capacity
- **Services modifying** the standard conditions of **firm capacities** (e.g. wheeling, OCUC, short-haul)
- **Transit/point-to-point contracts** not allowing the independent booking of entry and exit capacities

The study develops a qualitative and quantitative analysis of the perceived *pros* and *cons* of conditionalities, and *cost* and *benefit* of lifting them to create a full entry-exit system

- Incorporation of stakeholders' feedback (Dec 18)
- Finalisation of the draft study (Jan 19)
- ACER and NRAs review (Jan-Mar 19)
- Publication by 6 April 2019

We are looking for feedback and constructive exchange on the topic. Thank you!

Draft AGENDA

Agenda Topics	Duration	Timetable
Welcoming coffee / Registration	30 min	9:50-10:20
Opening and outlook (chair: ACER)	10 min	10:20-10:30
Part I: Presentation of the Study on the Conditionalities stipulated in contracts for standard capacity products for firm capacity sold by gas TSOs		
1. An introduction to the main issues (Consortium Project Manager)	15 min	10:30-12:00
2. Overview of the types of firm products offered and their conditions (VIS Consultants)	20 min	
Discussion	15 min	
3. Analysis of the effects of conditional products on the efficiency and integration of the EU gas markets - Preliminary results (REF4E)	20 min	
Q&A	20 min	
Coffee break	20 min	12:00-12:20
Part II. View of shippers and other stakeholders		
1. Conditionalities in the German market merger and tariffs methodology (BNetzA)	15 min	12:20-13:50
2. Overcoming Conditional Capacity Products: the Spanish Case (Enagas)	15 min	
3. Harmonisation and transparency of conditional products (ENTSOG)	15 min	
Q&A and general discussion	45 min	
Closing remarks (chair: ACER)	10 min	13:50-14:00