



Gas Regional Initiative North West - Consultation on Third Package Transparency Compliance-

18 November 2011

TransparencyNW@acer.europa.eu

Dear Colleagues,

Gas Regional Initiatives - North West: Consultation on Compliance Monitoring of TSOs against the Third Package Gas Transparency Requirements

Transparency is a critical element in ensuring an effective functional internal European market. Gas Regulation No 715/2009, effective from 3rd March 2011 includes a number of enhanced Transparency requirements beyond the 2005 Gas Regulation No 1775/2005. These requirements can be found under Article 18 *"Transparency requirements concerning TSOs"* and under amended Chapter 3 of Annex 1 *"Definition of the technical information necessary for network users to gain effective access to the system, the definition of all relevant points and the time schedule according to which information should be published".*

Following a suggestion from stakeholders at the November 2010 Stakeholder Group (SG) meeting, regulators of the Gas Regional Initiative North West (GRI NW) agreed to examine compliance of TSOs against these new gas transparency requirements. It was considered appropriate to use the regional initiative platform to conduct this exercise so that it could be completed in a coordinated manner.

For this purpose, we asked all TSOs within the GRI NW region to complete a questionnaire to explain whether or not they publish information required by Chapter 3 of Annex 1 of the Gas Regulation and to include a link to the relevant information. All TSOs have responded, although the full links have not been provided in all instances.

In order to provide an assessment of TSOs' compliance, we are now seeking stakeholder views on the content of the TSOs' responses. Annex 2 of this letter includes links to all completed questionnaires we received from TSOs, and a summary table. As users of the information published by TSOs, we ask respondents to review the information. We are also inviting views on whether it is user friendly and published at an appropriate frequency. Some specific questions and details on how to respond can be found in annex 1 of this letter. Stakeholder responses will provide a valuable assessment of TSO compliance with the transparency requirements and will help relevant authorities ensure that the legislative requirements are implemented appropriately. The outcome of this public consultation will feed into conclusions to be prepared by the Regional Coordination Committee of the GRI NW.

We would welcome your views by email to <u>TransparencyNW@Acer.europa.eu</u> by 20 January 2012.

Yours Sincerely,

GRI NW Regional Coordination Committee





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Annex 1 - Questions

We would welcome stakeholder views on the responses provided by the TSOs by 20 January 2012. Specifically we would welcome your views on the following:

- 1. What are your views on the overall quality, consistency, frequency and availability of the information published by TSOs in order to comply with the Transparency requirements in Gas Regulation EC/715/2009? Are there any areas of improvement?
- 2. Do you consider the questionnaire responses accurately reflect the information that is made publicly available by TSOs in order to comply with the Transparency requirements in Gas Regulation EC/715/2009? If you consider they do not please provide specific examples.
- 3. Is the information that is published by TSOs in order to comply with the Transparency requirements in Gas Regulation EC/715/2009 user-friendly? Where you consider the information is not user-friendly please provide specific examples.
- 4. Is the information that is published by TSOs in order to comply with the Transparency requirements in Gas Regulation EC/715/2009 available free of charge without subscriptions? Where you find it is not available free of charge please provide specific examples.
- 5. Is the information that is required to be published at all relevant points (Annex 1, Chapter 3, Article 3.3 (a-g)) published "close to real time i.e. as soon as it is available to the system operator"? If not please provide specific examples.

How to Respond

If you have any comments or questions on this letter or on the TSO Transparency questionnaires please contact <u>TransparencyNW@acer.europa.eu</u> in the first instance.

We would welcome responses to the questions raised in this letter (or any remaining remarks) by 20 January 2012. Unless marked confidential, all responses will be published on ACER's Regional Initiatives website <u>www.acer.europa.eu</u>.

Respondents that wish to have their responses remain confidential, should clearly mark documents to that effect and give the reasons for confidentiality.





Annex 2 – Questionnaires

DETAILED RESP	PONSES BY COUNTRY:	
Country	Transmission Service Operators (TSOs)	Link to questionnaire response
Belgium	Fluxys	Belgium.xbx
Denmark	Energinet.DK	Denmark.xlsx Denmark
France	GRTgaz	France.xbx France
Germany	BayernetsGVSEGMTOGEENIONTRASEWEStatoilGRTgaz DeutThyssengasGasunieWingas	Germany
Great Britain	Interconnector UK (Interconnector) National Grid	Great Britain
Ireland	Gaslink	Ireland.xtsx
Luxemburg	Creos Luxemburg S.A.	
Northern Ireland	BGÉ (UK) Mutual Energy	Northern Ireland
Sweden	Swedagas & Svenska Kraftnät (consolidated questionnaire)	Sweden.xlsx
The Netherlands	BBL Company (Interconnector) GTS	The Netherlands

A summary of the TSOs' responses is provided below. Some minor adjustments were made in the summary to make it more consistent and user friendly.

Key:	
	Yes / Data published
	Not applicable, forthcoming, or
	exemption request pending
	No / Data not published
	No information

SUMMAI	RY TABLE (1) Country Code	BE	DK	FR	DE												GB	IE	LU	NI	NI	SE	NL	GB NL	GB BE
Article of Annex 1 chapter 3 of Gas Regulation 715/2009	Transparency requirement	1. Fluxys	2. Energinet.DK	3. GRTgaz	4.Bayernets	5. ENI	6. GRTgaz Deut	7. GVS	8. OGE	9. Thyssengas	10. EGMT	11. EWE	12. Gasunie	13. ONTRAS	14. Statoil	15. Wingas	16. National Grid	17. Gaslink	18. Creos Luxemburg S.A.	19. BGE (UK)	20. Mutual Energy	21. Swedagas & Svenska Kraftnat	22. GTS	23. BBL Company	24. Inter- connector UK
3.1.1. Form of	f publication:																								
	Do you publish the information referred to under paragraph 3.1.2. in the following manner:																								
	(a) on a website accessible to the public, free of charge and without any need to register or otherwise sign on with the transmission system operator;																								
	(b) on a regular/rolling basis; the frequency shall be according to the changes that take place and the duration of the service;																								
	(c) in a user-friendly manner;																								
3.1.1.1.	(d) in a clear, quantifiable, easily accessible way and on a non-discriminatory basis;																								
0111111	(e) in downloadable format that allows for quantitative analyses;																								
	 (f) in consistent units, in particular kWh (with a combustion reference temperature of 298,15 K) shall be the unit for energy content and m 3 (at 273,15 K and 1,01325 bar) shall be the unit for volume. The constant conversion factor to energy content shall be provided. In addition to the format above, publication in other units is also possible; (g) in the official languages of the member 																								
	State and																								
	(g) in English																								
3.1.1.2.	Do you provide details on actual changes to all information referred to under paragraph 3.1.2 in a timely manner as soon as available to you?																								
3.1.2 Content	of publication																								
3.1.2.a)	Do you publish a detailed and comprehensive description of the different services offered and																								
	their charges?																								
3.1.2 b)	Do you publish the different types of transportation contracts available for these services?																								

SUMMAR	RY TABLE (2)	BE	DK	FR						D	E						GB	IE	LU	NI	NI	SE	NL	GB NL	GB BE
Article of Annex 1 chapter 3 of Gas Regulation 715/2009	Country Code Transparency requirement	1. Fluxys	2. Energinet.DK	3. GRTgaz	4.Bayernets	5. ENI	6. GRTgaz Deut	7. GVS	8. OGE	9. Thyssengas	10. EGMT	11. EWE	12. Gasunie	13. ONTRAS	14. Statoil	15. Wingas	16. National Grid	17. Gaslink	18. Creos Luxemburg S.A.	19. BGE (UK)	20. Mutual Energy	21. Swedagas & Svenska Kraftnat	22. GTS	23. BBL Company	24. Inter -connector UK
	Do you publish the network code and/or the standard conditions outlining the rights and responsibilities of all network users including:																								
	1. Harmonised transportation contracts and other relevant documents;																								
3.1.2.c)	2. if relevant for access to the system, for all relevant points as defined in paragraph 3.2 of this Annex, a specification of relevant gas quality parameters, including at least the gross calorific value and the Wobbe index, and the liability or costs of conversion for network users in case gas is outside these specifications;																								
	 if relevant for access to the system, for all relevant points information on pressure requirements; 																								
	4. the procedure in the event of an interruption of interruptible capacity, including, where applicable, the timing, extent, and ranking of individual interruptions (for example pro-rata or first-come-last-interrupted);																								
3.1.2 d)	Do you publish the harmonised procedures applied when using the transmission system, including the definition of key terms?																								
	Do you publish provisions on																								
3.1.2.e)	1. capacity allocation,																								
	2. congestion management,																								
	3. anti-hoarding, and																								
	4. reutilisation procedures?																								
3.1.2.f)	Do you publish the rules applicable for capacity trade on the secondary market vis-à-vis the transmission system operator?																								
3.1.2.g)	Do you publish rules on balancing and methodology for the calculation of imbalance charges?																								

SUMMAR	RY TABLE (3)	BE	DK	FR						D	E						GB	IE	LU	NI	N I	SE	NL	GB NL	GB BE
Article of Annex 1 chapter 3 of Gas Regulation 715/2009	Transparency requirement	1. Fluxys	2. Energinet.DK	3. GRTgaz	4.Bayernets	5. ENI	6. GRTgaz Deut	7. GVS	8. OGE	9. Thyssengas	10. EGMT	11. EWE	12. Gasunie	13. ONTRAS	14. Statoil	15. Wingas	16. National Grid	17. Gaslink	18. Creos Luxemburg S.A.	19. BGE (UK)	20. Mutual Energy	21. Swedagas & Svenska Kraftnat	22. GTS	23. BBL Company	24. Inter- connector UK
	If applicable, do you publish																								
3.1.2.h)	the flexibility and tolerance levels included in transportation and other services without separate charge, as well as																								
	any flexibility offered in addition to this and the corresponding charges																								
	Do you publish																								
3.1.2.i)	a detailed description of the gas system of the transmission system operator and its relevant points of interconnection as defined in paragraph 3.2 of this Annex, as well as																								
	the names of the operators of the interconnected systems or facilities?																								
3.1.2.j)	Do you publish the rules applicable for connection to the system operated by the transmission system operator?																								
3.1.2.k)	Do you publish information on emergency mechanisms, as far as it is the responsibility of the transmission system operator, such as measures that can lead to the disconnection of customers groups and other general liability rules that apply to the transmission system operator?																								
	Do you publish																								
3.1.2.l)	procedures agreed upon by transmission system operators at interconnection points, of relevance for access of network users to the transmission systems concerned, relating to interoperability of the network,																								
	agreed procedures on nomination and matching procedures and																								
	other agreed procedures that set out provisions in relation to gas flow allocations and balancing, including the methods used?																								
3.1.2.m)	Do you publish a detailed and comprehensive description of the methodology and process, including information on the parameters employed and the key assumptions, used to calculate the technical capacity?																								

SUMM	ARY TABLE (4)	BE	DK	FR						DE							GB	IE	LU	٨	II	SE	NL	GB NL	GB BE
Article of Annex 1 chapter 3 of Gas Regulation 715/2009	Country Code Transparency requirement	1. Fluxys	2. Energinet.DK	3. GRTgaz	4.Bayernets	5. ENI	6. GRTgaz Deut	7. GVS	8. OGE	9. Thyssengas		11. EWE	12. Gasunie	13. ONTRAS	14. Statoil	15. Wingas	16. National Grid	17. Gaslink	18. Creos Luxemburg S.A.	19. BGE (UK)	20. Mutual Energy	21. Swedagas & Svenska Kraftnat	22. GTS	23. BBL Company	24. Inter- connector UK
3.3 Information	ation to be published at all relevant points and the	e tim	e sch	edule	acco	rding	to wh	ich th	is inf	ormat	ion sl	houl	d be p	oublis	hed										
	Do you publish at all relevant points the following information for all services and ancillary services provided:																								
	(a) the technical capacity for flows in both directions;																								
	Is this information published on a numerically?																								
	Is this information in hourly or daily periods, equal to the smallest reference period?																								
	Is this information and updates published as soon as available to you ("near real time")?																								
	Is this information published for a period of at least 18 months ahead?																								
	Do you publish historical information on the technical capacity for flows in both directions for the past five years on a rolling basis?																								
3.3.1., 3.3.2. and 3.3.3.	Is information for single final customers and for production facilities, that is excluded from the definition of relevant points as described under 3.2 (1)(a) published in aggregate format at least per balancing zone. The aggregation of single final customers and of production facilities, excluded from the definition of relevant points as described under 3.2 (1)(a), shall for the application of this annex be considered one relevant point.																								
	(b) the total contracted firm and interruptible capacity in both directions																								
	Is this information published on a numerical basis?																								
	Is this information in hourly or daily periods, equal to the smallest reference period?																								
	Is this information and updates published as soon as available to you ("near real time")?																								
	Is this information published for a period of at least 18 months ahead?																								
	Do you publish historical information on the total contracted firm and interruptible capacity for flows in both directions for the past five years on a rolling basis?																								
	(c) the nominations and re-nominations in both directions;																								
	Is this information published on a numerical basis?																								

SUMM	ARY TABLE (5)	BE	DK	FR						DE							GB	IE	LU	NI	NI	SE	NL	GB NL	GB BE
Article of Annex 1 chapter 3 of Gas Regulation 715/2009	Transparency requirement	1. Fluxys	2. Energinet.DK	3. GRTgaz	4.Bayernets	5. ENI	6. GRTgaz Deut	7. GVS	8. OGE	9. Thyssengas	10. EGMT	11. EWE	12. Gasunie	13. ONTRAS	14. Statoil	15. Wingas	16. National Grid	17. Gaslink	18. Creos Luxemburg	19. BGE (UK)	20. Mutual Energy	21. Swedagas & Svenska Kraftnat	22. GTS	23. BBL Company	24. Inter- connector UK
	Is this information in hourly or daily periods, equal to the smallest reference period?																								
	Is this information and updates published as soon as available to you ("near real time")?																								
	Do you publish historical information on the nominations and re-nominations in both directions for the past five years on a rolling basis?																								
	(d) the available firm and interruptible capacity in both directions;																								
	Is this information published on a numerical basis?																								
	Is this information in hourly or daily periods, equal to the smallest reference period?																								
	Is this information and updates published as soon as available to you ("near real time")?																								
	Is this information published for a period of at least 18 months ahead?																								
3.3.1.,	Do you publish historical information on the available firm and interruptible capacity in both directions for the past five years on a rolling basis?																								
3.3.2. and	(e) actual physical flows;																								
3.3.3.	Is this information published on a numerical basis?																								
	Is this information in hourly or daily periods, equal to the smallest reference period?																								
	Is this information and updates published as soon as available to you ("near real time")?																								
	Do you publish historical information on actual physical flows for the past five years on a rolling basis?																								
	(f) planned and actual interruption of interruptible capacity;																								
	Is this information published on a numerical basis?																								
	Is this information in hourly or daily periods, equal to the smallest reference period?																								
	Is this information and updates published as soon as available to you ("near real time")?																								
	Do you publish historical information on planned and actual interruptions of interruptible capacity for the past five years on a rolling basis?																								
	(g) planned and unplanned interruptions to firm services as well as the information on restoration of the firm services (eg, maintenance of system and duration of any interruption due to maintenance).																								

SUMMA	RY TABLE (6)	BE	DK	FR						DE							GB	IE	LU	NI	NI	SE	NL	GB NL	GB BE
	Country Code																		_						DL
Article of Annex 1 chapter 3 of Gas Regulation 715/2009	Transparency requirement	1. Fluxys	2. Energinet.DK	3. GRTgaz	4.Bayernets	5. ENI	6. GRTgaz Deut	7. GVS	8. OGE	9. Thyssengas	10. EGMT	11. EWE	12. Gasunie	13. ONTRAS	14. Statoil	15. Wingas	16. National Grid	17. Gaslink	18. Creos Luxemburg S.A.	19. BGE (UK)	20. Mutual Energy	21. Swedagas & Svenska Kraftnat	22. GTS	23. BBL Company	24. Interc- onnector UK
	Do you publish planned interruptions at least 42 days in advance?																								
3.3.1., 3.3.2. and 3.3.3.	Is this information and updates published as soon as available to you ("near real time")?																								
	Do you publish historical information on planned and unplanned interruptions for the past five years on a rolling basis?																								
	Do you publish measured values of the gross calorific value or the Wobbe index at all relevant points, on a daily basis?																								
3.3.4.	Do you publish preliminary figures at the latest 3 days following the respective gas day?																								
	Do you publish final figures within 3 months after the end of the respective month?																								
	Do you publish for all relevant points, available capacities, booked and technical capacities, on an annual basis																								
	over all years where capacity is contracted plus 1 year, and																								
3.3.5.	at least for the next 10 years.																								
	Is this information updated at least every month or more frequently, if new information becomes available?																								
	Does the publication reflect the period for which capacity is offered to the market?																								
	Do you publish the information referred to under paragraph 3.3(1) to 3.3(5) in the following manner:																								
	(a) on a website accessible to the public, free of charge and without any need to register or otherwise sign on with the transmission system operator;																								
3.1.1.1.	(b) on a regular/rolling basis; the frequency shall be according to the changes that take place and the duration of the service;																								
	(c) in a user-friendly manner;																								
	(d) in a clear, quantifiable, easily accessible way and on a non-discriminatory basis;																								
	(e) in downloadable format that allows for quantitative analyses;																								

SUMMA	RY TABLE (7)	BE	DK	FR						DI	E						GB	IE	LU	NI	NI	SE	NL	GB NL	GB BE
	Country Code																								22
Article of Annex 1 chapter 3 of Gas Regulation 715/2009	Transparency requirement	1. Fluxys	2. Energinet.DK	3. GRTgaz	4.Bayernets	5. ENI	6. GRTgaz Deut	7. GVS	8. OGE	9. Thyssengas	10. EGMT	11. EWE	12. Gasunie	13. ONTRAS	14. Statoil	15. Wingas	16. National Grid	17. Gaslink	18. Creos Luxemburg S.A.	19. BGE (UK)	20. Mutual Energy	21. Swedagas & Svenska Kraftnat	22. GTS	23. BBL Company	24. Interconnector
3.1.1.1.	(f) in consistent units, in particular kWh (with a combustion reference temperature of 298,15 K) shall be the unit for energy content and m 3 (at 273,15 K and 1,01325 bar) shall be the unit for volume. The constant conversion factor to energy content shall be provided. In addition to the format above, publication in other units is also possible;																								
	(g) in the official languages of the member State and																								
	(g) in English																								
3.1.1.2.	Do you provide details on actual changes to all information referred to under paragraph 3.3(1) to 3.3(5) in a timely manner as soon as available to you?																								
3.4 Informatio	on to be published regarding the transmission syste	m an	nd the	time	sche	dule a	accord	ding to	o whi	ch thi	s info	ormat	tion s	hould	i be p	ublisl	hed								
	Do you publish on a daily basis and updated every day the following specifications re. the aggregated amounts of capacities offered, and contracted on the secondary market (i.e. sold from one network user to another network user), where the information is available to you:																								
	(a) interconnection point where the capacity is sold;																								
3.4.1.	(b) type of capacity, i.e. entry, exit, firm, interruptible;																								
	(c) quantity and duration of the capacity usage rights;																								
	(d) type of sale, e.g. transfer or assignment;																								
	(e) the total number of trades/transfers;																								
	(f) any other conditions known to the transmission system operator as mentioned in 3.3.																								
	Is this information provided by a third party?																								
	Do you publish the following specifications re. harmonised conditions under which capacity transactions (e.g. transfers and assignments) will be accepted:																								
3.4.2.	(a) a description of standardised products which can be sold on the secondary market;																								
	(b) lead time for the implementation/acceptation/registration of secondary trades. In case of delays the reasons have to be published;																								

SUMMAR	RY TABLE (8)	BE	DK	FR						DE						GB	IE	LU	NI	NI	SE	NL	GB NL	GB BE
Article of Annex 1 chapter 3 of Gas Regulation 715/2009	Country Code Transparency requirement	1. Fluxys	2. Energinet.DK	3. GRTgaz	4.Bayernets	5. ENI	6. GRTgaz Deut	7. GVS	8. OGE	9. Thyssengas	11. EWE 10. EGMT	12. Gasunie	13. ONTRAS	14. Statoil	15. Wingas	16. National Grid	17. Gaslink	18. Creos Luxemburg S.A.	19. BGE (UK)	20. Mutual Energy	21. Swedagas & Svenska Kraftnat	22. GTS	23. BBL Company	24. Interconnector
3.4.2.	(c) the notification to the transmission system operator by the seller or the third party as referred to under 3.4(1) about name of seller and buyer and capacity specifications as outlined in 3.4(1).																							
	Is this information provided by a third party? Regarding the balancing service of your system, do you provide to each network user, for each balancing period, its specific preliminary imbalance volumes and cost data per individual network user, at the latest 1 month after the end of the balancing period?																							
3.4.3.	Do you provide final data of customers supplied according to standardised load profiles within 14 months later?																							
	Do you respect confidentiality of commercially sensitive information while providing this information?																							
	Is this information provided by a third party? Do you offer flexibility services, other than tolerances, for third party access?																							
3.4.4.	If you do, do you publish daily forecasts on a day- ahead basis of the maximum amount of flexibility, the booked level of flexibility and the availability of flexibility for the market for the next gas day?																							
	Do you also publish ex-post information on the aggregate utilisation of every flexibility service at the end of each gas day?																							
	(5) Do you publish, per balancing zone: the amount of gas in the transmission system at the start of each gas day and																							
	the forecast of the amount of gas in the transmission system at the end of each gas day?																							
3.4.5.	Do you publish the amount of gas in the transmission system on an hourly basis?																							
5.4.5.	Do you update the forecast amount of gas for the end of the gas day on an hourly basis throughout the gas day?																							
	Alternatively, do you publish, per balancing zone the aggregate imbalance position of all users at the																							
	start of each balancing period and the forecast of the aggregated imbalance position of																							
3.4.6.	all users at the end of each gas day? Do you provide user-friendly instruments for calculating tariffs?																							