

# Energy Community Gas Action 2020: network code on gas capacity allocation mechanisms

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Energy Community Secretariat, Am Hof 4, 6<sup>th</sup> floor, 1010 Vienna

26 February 2018, 13:00 – 17:00

## Meeting Summary

### I. Introduction

The Energy Community Secretariat ('Secretariat') welcomed the participants and re-called the adoption of the network code on interoperability and data exchange as well as the gas congestion management guideline by Decision of the Permanent High Level Group (PHLG) of 12 January 2018. The consolidated versions of the legal acts as well as correlation tables highlighting the differences between the EU versions of the Regulations and the versions applicable for the Contracting Parties are available on the Energy Community website at <https://www.energy-community.org/legal/acquis.html>.

Participants underlined that the foreseen transposition and implementation deadline of 1 October 2018 cannot be met realistically. The Secretariat explained that the deadlines received the necessary majority support during PHLG adoption, acknowledged however the indeed short period and offered support in the transposition process; related letters have been submitted to the Contracting Parties' Ministries and regulators already. The Secretariat noted that, most importantly, *start* of transposition activities should be communicated including an envisaged timeline for finalisation.

The Secretariat further explained that adoption of the gas network codes on capacity allocation (CAM) and transmission tariffs is targeted for the December 2018 PHLG. Participants supported the target of adopting the gas network codes on capacity allocation and transmission tariffs at the same time.

The Secretariat finally re-called the procedure for adoption of Third Package related network codes and guidelines in the Contracting Parties (cf Annex).

## II. Discussion of CAM network code

The Secretariat introduced its proposal for and adjusted version of the CAM network code as circulated ahead of the meeting. Comments have been submitted by ENTSOG and AERS. The Group discussed the draft and comments made.

The following aspects are to be highlighted specifically:

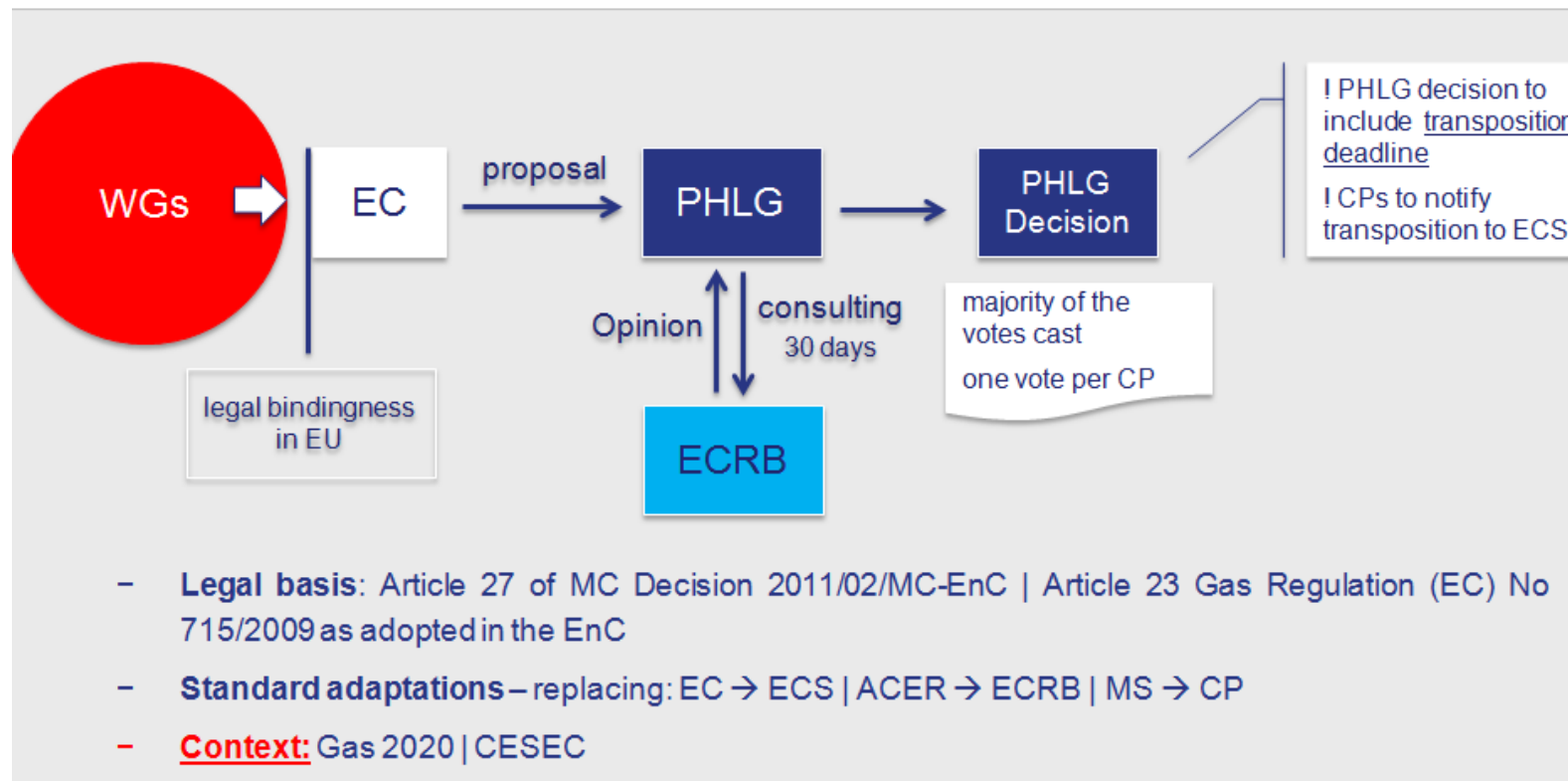
- Ad AERS' proposal to amend Article 2.2 with a provision to make applicability of the CAM network code at interconnection points within a Contracting Party subject to regulatory decision: instead of the suggested reference to a related formulation in Article 3(1) of Decision 2018/01/PHLG-EnC for reasons of better readability the following phrase was added: "*or within the same Contracting Party subject to the decision of the relevant Contracting Party's national regulatory authority*".
- Ad AERS' reservation on Article 6.2a, i.e. to introduce a decision competence of ECRB in case of disagreement between regulators on cost allocation: whereas transferring this duty to ACER might be indeed more efficient, the lack of such option would even create another regulatory gap in case Article 6.2a would be omitted.
- ENTSOG noted cooperation readiness but did not agree on taking over monitoring duties for Contracting Parties (TSOs) under Articles 26(4) and 38. Thus, the duty was allocated to the Secretariat. AERS drew attention to the already existing monitoring competence of the Secretariat under the Treaty and noted that duplication should be avoided. Upon suggestion of ACER, the Secretariat agreed to consider whether a obligation for TSOs to provide specific data for Secretariat's monitoring of the CAM network code would be required and, in turn, a confidentiality protection obligation of the Secretariat as both outlined in Article 38.
- Ad AERS' proposal that in the whole text reference should be made to the various legal acts (Gas Regulation / Directive etc) as adopted and adapted by Ministerial Council or PHLG Decisions for the Energy Community: the Secretariat confirmed accordingly and referred to the related comments [ecs-1, ecs-4, ecs-5] of its draft.

All other comments made have been incorporated in the text.

## III. Way forward

- Secretariat to circulate the adjusted version of the CAM network code as modified at the meeting. **The target is to finally agree on an adapted version at the next meeting on 12 April 2018. For this purpose group members are invited to communicate any remarks on the adjusted version of the CAM network code to the Secretariat.**
- Secretariat to provide a short meeting summary.
- Secretariat to circulate an invitation for the next meeting (12 April 2018, Vienna).

## Procedures



Annex– List of Participants

Name	Institution / Company
Mr Goran Asonja	Gas Promet, Bosnia and Herzegovina
Mr Igor Baidauz	MoldovaGaz, Moldova
Mr Franjo Baliija	Plinacro, Croatia
Mrs Drita Desku	ERO, Kosovo*
Mr Stevan Dukoc	Srbijagas, Serbia
Mr Ljubo Glamocic	REERS, Bosnia and Herzegovina
Mr Peter Hlusek	ENTSO
Mr Bojan Kacanski	Srbijagas, Serbia
Mr Sergiu Lica	Moldovatrangaz, Moldova
Mr Dalibor Mitrovski	ERC, FYR of Macedonia
Mr Aleksandar Popadic	AERS, Serbia
Mr Maksim Shuli	ERE, Albania
Mrs Sonja Smolovic	RAE, Montenegro
Mrs Ivana Spasic	AERS, Serbia
Mr Bozo Tasovac	REERS, Bosnia and Herzegovina
Mrs Karolina Cegir	ECS
Mrs Nina Grall	ECS
Mr Predrag Grujicic	ECS
Mrs Branislava Marsenic	ECS
<u>Via telephone connection</u>	
Mr Markus Backes ( <i>partly</i> )	DG ENER
Mrs Csilla Bartok	ACER
Mrs Kirsten Bouwens	ACER