Implementation of the gas acquis – status quo

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Energy Community

Contracting Parties with existing gas markets
Contracting Parties with emerging gas markets
European Union
Contracting Parties
Candidate
Observers
Third package is advancing – aligning with the EU


Serbia adopted a 3P compliant law in December 2014

Ukraine, Albania: the draft laws prepared with the ECS and adopted in 2015

Montenegro adopted law in Dec 2015

Kosovo*, – advanced their 3P draft laws, Moldova has received a draft gas law prepared by ECS – work in progress

fYRoM - a draft law shared by ECS in autumn 2015

BH - long standing dispute (2nd package); ECS involved in finding a compromise
On our gas agenda: transposition of the EU acquis

Secretariat’s 2015 report covers period from 1 August 2014 to 1 September 2015

3rd package implementation; assistance in drafting secondary legislation

Network Code implementation

1. Capacity allocation / congestion management
2. Balancing Code
3. Interoperability Code
   – Adapted drafts to be prepared by ECS
   – to be adopted by the Energy Community

Regulation 994/2010 – participation in the public consultation; involvement of the EnC in the revised Regulation
On our gas agenda

Dispute settlement cases: upon a complaint or upon the ECS’s own initiative

Certification of TSOs; TPA Exemption for new interconnectors:

- Cooperation with ACER (Gas regional integration initiatives – GRI)
- CESEC initiative
- Market integration study
- ENTSOG – inclusion of TSOs from CPs
  - TYNDP
  - Common understanding for NC
Create a fully operational framework for security of gas supply based on revised Regulation 994/2010 by:

→ covering cross-border cooperation between Member States and the Contracting Parties

→ Contracting Parties to be involved in the process - a Joint act on SoS adopted by Ministerial Council in 2015

→ EnC to be a part of the EU legal act for the first time

→ an ambitious process: revision and adaptation of the Regulation for the EnC
Based on the same 2014 stress test: **6 priority projects** to increase SoS via strengthened interconnection

- TAP
- Interconnector GR-BG (IGB)
- Interconnector BG-SRB
- System reinforcement BG
- System reinforcement ROM
- LNG Terminal HR
- LNG evacuation system towards HU

**MoU signed in July 2015**

- EU | AL | AT | BG | FYROM | GR | HR | HU | IT | ROM | SI | SK | SRB | UA

**ECS to monitor and facilitate CESEC – list of measures**
Case study: Ukraine – reforming the gas sector

Adoption of the gas law constitutes a big leap forward for Ukraine (and beyond)

The EnC Secretariat drafted Gas Law (April 2014) and assisted in development of secondary legislation and implement an effective unbundling model

Ukraine consults case law of the EnC and:

- Develop licensing conditions, PSO decrees, general rules on supply and rules on supplier of last resort upon consultation with the ECS
- Notify the ECS about regional cooperation, emergency measures and SoS action plan
- ECS shall issue an opinion for TSO certification and TPA exemptions for new infrastructure

Ukraine disputed: Gas transit and supply contracts with Gazprom and the Nord Stream 2 project
Law of Ukraine on natural gas market 2015

Directive 2009/73/EC
- Definitions
- Main principles and responsibilities
- Unbundling of transmission and supply – TSO, ISO models; certification
- Role, tasks, responsibilities, independence, power of Regulatory authority in gas sector
- Unbundling of DSO, UGSSO, LNGSO
- General rules of access to infrastructure
- Regional cooperation
- Supply / general and specific rules
- As adapted by the Ministerial Council – role and tasks of the Secretariat (PSO, certification, exemptions for new infrastructure)

- Monitoring of security of supply and reporting
- Security of supply measures / tasks and responsibilities / Risk Assessment
- National Plan of actions in emergency

Regulation (EC) 715/2009
- Basic principles of capacity allocation, congestion management, balancing, regional cooperation
- Further development of secondary legislation – network codes required

Entered into force on 1 October 2015
Secondary gas legislation

Public Service Obligation Decree
Supply Rules
Security of Supply Rules
National Action Plan
Transmission System Code
Storage System Code
Distribution System Code
Criteria for access to storages
Decree on mandatory reserves
Tendering procedure for Supplier of Last Resort
Standard gas supply contract (households and SoLR)
Standard access contract (transmission, storage, distribution)
Order for protection of vulnerable customers
Entry-exit transmission tariff methodology
Storage tariff methodology
Distribution tariff methodology
Certification rules
Compliance programme (for TSO, for SSO)
Compliance officer contract
Methodology for connection fee
NRA Dispute Resolution Rules
Licensing Conditions and Forms
Thank you for your attention!

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