

# 2<sup>nd</sup> Meeting on Implementation of the Gas Network Codes in the Energy Community

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Hotel Lev | Ljubljana, Slovenia

21 September 2016, 11:00 – 18:00

## Meeting Summary

Co-chairing: Nina Grall, Energy Community Secretariat | Kristof Kovac, DG ENER

Delivered presentations available at: [www.energy-community.org](http://www.energy-community.org) – events – 21 September 2016  
([https://www.energy-community.org/portal/page/portal/ENC\\_HOME/CALENDAR/Other\\_Meetings/2016/21\\_Sep](https://www.energy-community.org/portal/page/portal/ENC_HOME/CALENDAR/Other_Meetings/2016/21_Sep))

### I. General part: concept, general discussion of the IO-, CMP- and CAM- Network Codes

*Participants:* all participants listed in Annex I

Agenda item Annex II, 11:00-12:30

- The Energy Community Secretariat ('Secretariat') presented:
  - a. A recap of the concept for implementing gas Network Codes (NCs) in the Energy Community Contracting Parties (CPs) jointly developed by the Secretariat and European Commission ('Commission') with input from the NC teams of ACER and ENTSOG. The concept foresees sequenced but, at the end, complete transposition and implementation of all gas NCs<sup>1</sup>. The Secretariat underlined that the concept is open to discussion with stakeholders, in particular CP and EU MS TSOs and NRAs with a view to prepare meaningful NC proposals for adoption by the CP Ministries (Permanent High Level Group, PHLG), targeted for December 2016 according to the June 2016 PHLG conclusions<sup>2</sup>.
  - b. An illustration of the sequenced transposition and implementation concept on the example of the Capacity Allocation Mechanism (CAM)<sup>3</sup> NC.<sup>4</sup>
  - c. An overview of the Interoperability (IO) NC<sup>5,6</sup>.
  - d. The NC on Congestion Management Procedures<sup>7</sup> (CMP).<sup>8</sup>
- GAMA pinpointed to the public procurement requirement applicable in FYR of Macedonia that would hinder free choice of a capacity allocation platform. Mrs Grall (Secretariat) noted that public procurement rules

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<sup>1</sup> Ref presentation: *Secretariat, Implementing Gas Network Codes in the Energy Community, Concept*.

<sup>2</sup> Ref. [www.energy-community.org](http://www.energy-community.org) – events – 22 June 2016.

<sup>3</sup> Regulation (EU) 984/2013.

<sup>4</sup> Ref presentation: *Secretariat, Phased implementation of Regulation (EU) 984/2013 establishing a Network Code on Capacity Allocation Mechanisms*.

<sup>5</sup> Regulation (EU) 703/2015.

<sup>6</sup> Ref presentation: *Secretariat, Implementing Gas Network Codes in the Energy Community, Regulation (EU) 2015/703*.

<sup>7</sup> Amendment of the Annex to Regulation (EU) 715/2009.

<sup>8</sup> Ref. presentation: *Secretariat, Congestion management procedures in the event of contractual congestion- amendment of Annex of Regulation 715/2009*.

applicable to the CPs' gas and electricity sectors are currently under revision by a Secretariat's study and invited participants to address possible concerns / problems to the Secretariat.

- Mr Popadic (AERS) asked whether long term UIOLI rules are applied in the EU MSs. Mrs Bartok (ACER) explained that they are implemented in most MSs but are not applied in praxis<sup>9</sup>.
- Participants agreed that the proposal of the CAM NC for PHLG adoption shall target the most recent version applicable on EU level, not expected to be applicable before March 2017. Participants therefore suggested **not tabling the CAM NC for PHLG adoption in December 2016 but directly after applicability on EU level.**
- The Secretariat and CP representatives stressed the **need to achieve legally binding reciprocal application of NCs on CP-MS IPs.** Participants though noted that related legal certainty cannot be solved by TSOs or NRAs but must be addressed by the Secretariat and Commission separately.

## II. Focus IO NC

Note: Group 3 (UA-MD-ROM) as foreseen in the agenda was re-shuffled integrating MD into Group 1 due to the absence of representatives from ROM.

### General

- Mr Popadic asked at which network level the common set of units are supposed to apply. Mr Pollex (ENTSO) clarified that they must apply towards shippers, i.e. on entry-exit Interconnection Points (IPs), including the cases where such exist within a national transmission system as regards the information provisions of Article 17 IO NC. Mrs Bartok (ACER) added that application of the common set of units should be also of relevance for capacity platforms.
- It was confirmed that for transmission systems only linked to one other neighboring system (e.g. the case SRB-BiH) the exemption of Article 13(3) IO NC applies.

### Group discussions

#### a. Group 1: UA-PL-SK-HU-MD

*Participants:* relevant participants listed in Annex I

All group representatives confirmed **readiness to implement the IO NC within the deadlines proposed by the Secretariat**, noting that:

- Finalization of an Interconnection Agreement between MD and UA is targeted for November 2016.
- Commitment remains **subject to binding reciprocal application** of NCs on CP-MS IPs<sup>10</sup>.

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<sup>9</sup> See as well: ACER, Implementation Monitoring Report on Congestion Management Procedures - Update 2016 Of 21 September 2016, para 65.

b. Group 2: HU-SRB-BiH

*Participants:* relevant participants listed in Annex I

IP SRB-HU:

- Srbijagas and FGSZ confirmed readiness to on technical level **finalize already initiated discussions on an Interconnection Agreement (IA) in line with the IO NC by end Of 2017**. Representatives though noted **pending legal obstacles in SRB** that cannot be solved on technical level. In this context Srbijagas stressed that for finalization of an IA on the SRB-HU IP in line with the IO NC split up of the existing transit contract would be needed, having in mind that technical interoperability rules are currently part of (i.e. annex to) the existing transit contract. Mr Kovac explained that such approach was also needed for the recently signed GR-BG IA and was technically and legally solved via a side protocol to the transit contract signed together with the IA.
- Commitment remains **subject to binding reciprocal application** of NCs on CP-MS IPs, also having in mind the persisting concerns of the SK regulator to apply NC rules on its borders to UA.

IP SRB-BiH:

- Participants of SRB and BiH declared **readiness to start technical discussions on an IA for the SRB-BIH IP** and expressed their understanding that such can be finalized on technical level within the deadlines proposed by the Secretariat.
- Participants though noted that **pending legal obstacles in SRB and BiH** remain an obstacle that cannot be solved on technical level.

c. Group 3: BG-FYR of Macedonia

*Participants:* relevant participants listed in Annex I

Participants of BG and FYR of Macedonia (FYRoM) declared **readiness to start technical discussions on an IA for the BG-FYRoM IP** and expressed their understanding that such can be finalized on technical level within the deadlines proposed by the Secretariat. In this context reference was also made to the existing obligation of Bulgartransgaz under the Central and South Eastern Europe Gas Connectivity (CESEC) process to launch discussions on an IA with GAMA in September 2016<sup>11</sup>. Mr Kovac confirmed to follow up on the initiation of related discussions.

### III. Way forward

- Secretariat to make available meeting slides and meeting summary.
- Next meeting: 20 October September 2016 in Vienna

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<sup>11</sup> <https://ec.europa.eu/energy/sites/ener/files/documents/CESEC%20Action%20Plan%202.0%20-%20FINAL.PDF>.

Annex I – List of Participants

Name	Institution / Company	NRA/TSO/supplier
<b>Austria</b>		
Mr Alessandro Ischia	ECA	NRA
<b>Bosnia and Herzegovina</b>		
Mr Goran Asonja	Gas Promet	TSO
Mr Milomir Draganic	Gas Promet	TSO
Mr Sladoje Gavro	Sarajevo gas	TSO
Mr Alija Karcic	BH-Gas	TSO
Mr Slavo Krajisnik	Sarajevo gas	TSO
Mr Milenko Tomic	SERC	NRA
<b>Bulgaria</b>		
Mrs Sirma Dencheva	EWRC	NRA
Mrs Mariana Sirkova		NRA
<b>Croatia</b>		
Mr Nikola Vistica	HERA	NRA
<b>FYR of Macedonia</b>		
Mr Slavko Bundaleski	ERC	NRA
Mr Dalibor Mitrovski	ERC	NRA
Mr Vladimir Talevski	GAMA	TSO
<b>Georgia</b>		
Mr Irakli Galdava	GNERC	NRA
<b>Hungary</b>		
Mr Csaba Bagdi	FGSZ	TSO
<b>Italy</b>		
Mr Vincenzo Cioffo	AEEGSI	NRA
<b>Moldova</b>		
Mrs Elena Stratulat	ANRE	NRA
<b>Poland</b>		
Mr Stanislaw Brzeczowski	Gaz-System	TSO
Mrs Marta Zapart	Gaz-System	TSO
<b>Serbia</b>		
Mr Stevan Dukic	Srbijagas	TSO
Mr Bojan Kacanski	Srbijagas	TSO
Mr Aleksandar Popadic	AERS	NRA
Mrs Branka Tubin-Mitrovic	AERS	NRA

<b>Slovakia</b>		
Mrs Andrea Sekova	Eustream	TSO
<b>Ukraine</b>		
Mr Lisa Bandanova	Naftogaz	supplier
Mr Sergiy Makogon	Ukrtransgaz	TSO
Mrs Tetiana Kryvonoh	NEURC	NRA
<b>Institutions</b>		
Mrs Csilla Bartok	ACER	
Mrs Karolina Cegir	Energy Community Secretariat	
Mr Riccardo Galletta	ACER	
Mrs Nina Grall	Energy Community Secretariat	
Mr Antonio Gomez Bruque	ENTSO	
Mr Predrag Grujic	Energy Community Secretariat	
Mrs Branislava Marsenic	Energy Community Secretariat	
Mr Kristof Kovac	DG ENER	
Mr Thomas Hölzer	ACER	
Mr Hendrik Pollex	ENTSO	
Mr Thomas Querrioux	ACER	
Mr Jan Vitovsky	ENTSO	

## Annex II – Meeting Agenda

# 2<sup>nd</sup> Meeting on Implementation of the Gas Network Codes in the Energy Community

**Hotel Lev, Vosnjakova 1, Ljubljana, Slovenia**

**Wednesday, 21 September 2016, 11:00 – 19:00**

Co-chairing: Energy Community Secretariat | European Commission

### Agenda

	Topic	Participants	Documents
11:00 – 12:30	<b>Phased implementation concept on the example of CAM Regulation (EU) 984/2013</b> <b>Interoperability Regulation (EU) 2015/703</b> <b>Implementation of CMP NC in the Energy Community</b> Proposal by the Energy Community Secretariat <b>Introduction on NC CAM &amp; Incremental Capacity</b> Comparison of Regulation (EU) 984/2013 and proposed Amendments Preparation for work in sub-groups	All sub-groups together	
12:30 – 13:00	<i>Sandwich lunch buffet</i>		
13:00 – 14:30	<b>NC on Interoperability and Data Exchange Rules Interconnection Agreements</b> Missing issues, reached agreements	<b>Ukraine, Poland, Slovakia, Hungary</b> TSOs, RAs	Regulation (EU) 703/2015 – adoption proposal
14:30 – 16:00	<b>NC on Interoperability and Data Exchange Rules Interconnection Agreements</b> Opening discussions, reached agreements	<b>Hungary, Serbia, Bosnia and Herzegovina</b> TSOs, RAs	Regulation (EU) 703/2015 – adoption proposal ENTSOG interconnection agreement template
16:00 – 17:30	<b>NC on Interoperability and Data Exchange Rules Interconnection Agreements</b> Opening discussions, reached agreements	<b>Ukraine, Moldova, Romania</b> TSOs, RAs	Regulation (EU) 703/2015 – adoption proposal ENTSOG interconnection agreement template
17:30 – 19:00	<b>NC on Interoperability and Data Exchange Rules Interconnection Agreements</b> Opening discussions, reached agreements	<b>Bulgaria, FYR of Macedonia</b> TSOs, RAs	Regulation (EU) 703/2015 – adoption proposal ENTSOG interconnection agreement template