

## **RESOLUTION on Addendum to the ENTSOG position on the Commission's proposal for Transparency Guidelines**

Having regard to the ENTSOG Articles of Association, and in particular Article 4 thereof.

Having regard to the opinion of ENTSOG Transparency group members,

Having regard to the endorsement of the opinion of ENTSOG Transparency group members  
by ENTSOG Management Board,

Acting in accordance with the procedure laid down in Article 20 of the ENTSOG Articles of  
Association,

Whereas

- 1) Transparency is one of the three guiding principles of the energy market liberalisation process,
- 2) Regulation (EC) 1775/2005 defines, through Guideline annexed to this Regulation, the technical information necessary for network users to gain effective access to the system, the definition of all relevant points for transparency requirements and the information to be published at all relevant points and the time schedule according to which this information shall be published,
- 3) The European Commission may propose to amend the Guidelines via a regulatory procedure in accordance with Articles 5 , 7 and 8 of Decision 1999/468/EC,
- 4) The European Commission proposed to amend the Guidelines and summoned the Gas Committee to discuss the proposal on 18 December 2009,
- 5) Following the Gas Committee meeting on 18 December 2009, modifications were made to the original proposal,
- 6) ENTSOG has taken a formal position on the original European Commission's proposal but has not yet expressed any formal opinion on the modifications,
- 7) Members States have sought the opinion of ENTSOG on the modifications in their discussion with the respective Transmission System Operators,
- 8) The next Gas Committee meeting will take place on 24 March 2010,
- 9) ENTSOG supports the Transparency Guidelines and welcomes the opportunity to inform the Gas Committee,

ENTSOG adopts the Addendum to the ENTSOG position on the Commission's proposal for Transparency Guidelines<sup>1</sup>:

**Amendment 13**  
**(Transmission-Distribution Interface)**

**Article 3.2. (3)**

*Text proposed by the Commission*

*Amendment*

3) Where points between two or more system operators (**in particular points connecting a transmission and a distribution system**) are managed solely by the system operators concerned, with no contractual or operational involvement of **system** users whatsoever, the national regulatory authority may exempt the transmission system operator for these points from the obligation to publish the requirements under paragraph 3.3 of this Annex. In such case, the information shall be published in aggregate **format** at a meaningful level, at least per balancing zone. This aggregation of these points shall for the application of this annex be considered as one relevant point.

3) Where points between two or more system operators are managed solely by the system operators concerned, with no contractual or operational involvement of **network** users whatsoever or **where points connect a transmission system to a distribution system** the national regulatory authority may exempt the transmission system operator for these points from the obligation to publish the requirements under paragraph 3.3 of this Annex. In such case, the **relevant** information, **if available to the Transmission System Operator**, shall be published in **an** aggregate **form** at a meaningful level, at least per balancing zone. This aggregation of these points shall for the application of this annex be considered as one relevant point.

*Justification*

The publication of data concerning the relevant points between the transmission and distribution systems will enormously increase the amount of data to be published and so the IT development and operational costs. We recommend reconsidering the scope of the data required in light of the objective to be achieved and defining principles for aggregation of the respective interconnection points upon which the national regulatory authorities would decide the appropriate level for aggregation of data in their national systems.

We also note that certain information, such as nominations, is not available to the TSOs and so may not be published.

<sup>1</sup> document 09ENTSOG001 available at [www.entsog.eu](http://www.entsog.eu)

**Amendment 14**  
**(Information on Nominations)**

**Article 3.3. (1)(c)**

*Text proposed by the Commission*

*Amendment*

c) the **day-ahead nominated and re-nominated capacity** in both directions

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*Justification*

To achieve consistency with the definition of nomination under Article (2)(1)(7) as well as overall consistency with the paragraph 3.3.(1).

**Amendment 15**  
**(Information on Capacity Trading on Secondary Market)**

**Article 3.4. (1)**

*Text proposed by the Commission*

*Amendment*

1) Transmission system operators shall ensure the publication on a daily basis and updated every day the aggregated amounts of capacities offered and contracted on the secondary market (i.e. sold from one network user to another network user). This information shall include the following specifications.

1) Transmission system operators shall ensure the publication on a daily basis and updated every day the aggregated amounts of capacities offered, **where the information is available to the transmission system operator**, and contracted on the secondary market (i.e. sold from one network user to another network user). This information shall include the following specifications.

*Justification*

To achieve complete clarity on the obligations of the TSOs in this area.

**Amendment 16**  
**(Flexibility Services)**

**Article 3.4. (4)**

*Text proposed by the Commission*

*Amendment*

4) Where flexibility services, **e.g. linepack** are

4) Where flexibility services, **other than**

offered for third party access, transmission system operators shall 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. The transmission system operator shall also publish **in near real time** ex-post information on the aggregate utilisation of every flexibility service **at** the end of each gas day. The national regulatory authority may decide to exempt the transmission system operator from this obligation in case transmission system operators engage in traded markets.

**tolerances** are offered for third party access, transmission system operators shall 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. The transmission system operator shall also publish ex-post information on the aggregate utilisation of every flexibility service **after** the end of each gas day. The national regulatory authority may decide to exempt the transmission system operator from this obligation in case transmission system operators engage in traded markets.

#### *Justification*

To achieve complete clarity on the obligations of the TSOs in this area. (addresses also the issue of the 'real-time' publication).

### **Amendment 17 (Balancing-related Information)**

#### **Article 3.4. (5)**

##### *Text proposed by the Commission*

##### *Amendment*

5) Transmission system operators shall 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. The forecast amount of gas for the end of the gas day shall be updated on an hourly basis throughout the gas day. If imbalance charges are calculated on an hourly basis, the transmission system operator shall publish the amount of gas in the transmission system on an hourly basis. Alternatively, transmission system operators shall publish, per balancing zone, the aggregate imbalance position of all users at the

5) Transmission system operators shall 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. The forecast amount of gas for the end of the gas day shall be updated on an hourly basis throughout the gas day. If imbalance charges are calculated on an hourly basis, the transmission system operator shall publish the amount of gas in the transmission system on an hourly basis. Alternatively, transmission system operators shall 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 all users at the end of each gas day. In the alternative case the information shall also be updated on an hourly basis throughout the gas day.

start of each **gas day** and the forecast of the aggregated imbalance position of all users at the end of each gas day. In the alternative case the information shall also be updated on an hourly basis throughout the gas day.

*Justification*

To achieve consistency within the whole paragraph.

Done at Brussels, 22 March 2010

The President

The General Manager

Stephan Kamphues

Vittorio Musazzi