



CONGESTION MANAGEMENT PROCEDURES GUIDELINES

2021

IMPLEMENTATION AND EFFECT MONITORING REPORT

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1 EXECUTIVE SUMMARY

The Guidelines for Congestion Management Procedures (CMP GL) were adopted on 24 August 2012 as “Commission Decision on amending Annex I to Regulation (EC) No 715/2009”. The implementation date was 1 October 2013.

Article 8(8) of Regulation (EC) 715/2009 requires ENTSOG to ‘monitor and analyse the implementation of the network codes and the Guidelines adopted by the Commission in accordance with Article 6(11), and their effect on the harmonisation of applicable rules aimed at facilitating market integration.’ Article 8(8) also requires ENTSOG to ‘report its findings to the Agency and [...] include the results of the analysis in the annual report.’ Since July 2016, ENTSOG also has to monitor if the TSOs have implemented Firm Day-Ahead Use-It-Or-Lose-It (FDA UIOLI) in case their IPs are labelled as “congested” in ACER’s Congestion Report.¹

ENTSOG launched the CMP GL monitoring process in November 2020 to ensure the timely publication of the results. The report reflects the status of the CMP GL implementation at the end of the calendar year 2020 while it shows the effect of the CMP GL for the Gas Years (GY) 2018/2019 and 2019/2020. In order to perform the monitoring process, information was collected by ENTSOG from European gas TSOs through questionnaires. The received information is analysed in this report and conclusions are drawn. The results of the CMP GL Monitoring re-

port will also be published in the ENTSOG Annual Report 2020. ENTSOG has aimed at producing a report which can be considered supplementary to ACER’s reports. In addition, ENTSOG’s focus is to identify to what extent the main aims of the CMP GLs have been achieved.

The **implementation monitoring** part of this report shows that only one TSO was still in the process of implementing some of the CMP measures by the end of 2020 and these measures are expected to be implemented by October 2021. Three TSOs use an implicit allocation method for capacity, which is in accordance with Article 2(5) CAM NC.

The **effect monitoring** part of this report shows that the current ways of offering additional capacity through existing CMP mechanisms allow network users to access the market in situations where IPs are contractually congested. In GY 2019/2020, around 28 % of the total amount of additional capacity offered through CMP mechanisms was reallocated to the market. This indicates that the measures help in managing contractual congestion situations.

1 This obligation is coming from the CMP Annex 2.2.3.1: “National regulatory authorities shall require transmission system operators to apply at least the rules laid down in paragraph 3 per network user at interconnection points with respect to altering the initial nomination if, on the basis of the yearly monitoring report of the Agency in accordance with point 2.2.1(2), it is shown that at interconnection points demand exceeded offer, at the reserve price when auctions are used, in the course of capacity allocation procedures in the year covered by the monitoring report for products for use in either that year or in one of the subsequent two years, [...]”.

2 IMPLEMENTATION MONITORING

2.1 INTRODUCTION

For the implementation monitoring of the CMP GL, the same questionnaire was used as in the previous year and was only updated for those TSOs for which the process of implementation of all the mandatory measures was still ongoing according to last year's report, or if the TSO had one or more IPs labelled as "congested" in ACER's 2020 congestion report².

In the survey conducted by ENTSOG at the end of 2020 on the level of implementation of the CMP GLs, 44 TSOs out of 50 EU TSOs (including 44 ENTSOG members³, three associated partners and three other TSOs that are not ENTSOG members⁴) have implemented Surrender of Capacity, Long-Term Use-It-Or-Lose-It (LT UIOLI) and OS+BB or FDA UIOLI. The CMP guidelines allow for the option of choosing between OS+BB and FDA UIOLI. The National Regulatory Authority (NRA) of each country has to decide whether to use the OS+BB scheme or the FDA UIOLI mechanism. The six TSOs who have not implemented the CMP GLs are: CREOS Luxembourg, which has been excluded from this analysis as it holds a derogation, Infrastrutture Trasporto Gas, Società Gasdotti Italia, Swedegas AB, Regasificadora del Noroeste, which has been excluded from this analysis because they have no interconnection points in their networks, and Transgaz which is still in the process of implementing the CMP GLs.

According to Art. 30 of Regulation (EC) 715/2009, the Regulation (and consecutively its annexes) shall not apply to natural gas transmission systems situated in Member States for the duration of derogations granted under Article 49 of Directive 2009/73/EC. Estonia, Latvia and Finland are included within Art. 49(1)[1] of the Directive while Art. 49(6)[2] refers to Luxembourg. Elering, Conexus Baltic Grid and Gasgrid Finland OY have been included in the report since they are in the process of implementing all Gas Network Codes and Guidelines.

For this report, a total of 17 TSOs were asked to complete the implementation questionnaire:

- ▲ 12 TSOs were asked to complete the questionnaire due to the fact that they had one or more IPs labeled as "congested" in ACER's 2020 congestion report.
- ▲ 5 TSO's were asked to complete the questionnaire due to the fact they were in the process of implementing the CMP measures in the last monitoring report. 2 out of these 5 TSOs (Transgaz and FGSZ) also had IPs labelled as "congested" in ACER's 2020 congestion report.

² 7th ACER Report on Congestion in the EU Gas Markets and How It is Managed

³ Conexus is not considered as an ENTSOG member here as in the period covered by this monitoring exercise it was an associated partner.

⁴ The three TSOs that are not ENTSOG members are OPAL Gastransport GmbH & Co. KG, Fluxys Deutschland GmbH and Lubmin-Brandov Gastransport GmbH.

2.2 OVERVIEW OF IMPLEMENTATION STATUS

The following table presents the implementation status of the CMP GLs for TSOs across Europe including, besides the survey participants, also the TSOs which fulfilled the requirements of the CMP GLs already in the previous years and TSOs which were not mentioned as congested in ACER's Congestions Report.

No. of TSOs	Oversubscription and Buy-Back scheme (OS+BB) or Firm Day-Ahead UIOLI mechanism (FDA UIOLI)	Surrender of Contracted Capacity	Long-Term UIOLI (LT UIOLI)	Comments
44	Implemented	Implemented	Implemented	1 TSOs has implemented both OS+BB and FDA UIOLI 2 TSOs hold derogations but have implemented CMP GLs despite the derogation status
1	In process of implementation at 31.12.2020	In process of implementation at 31.12.2020	In process of implementation at 31.12.2020	Implementation expected in October 2021
5	Not applicable, as regards scope or derogation under Article 49 of Gas Directive	Not applicable, as regards scope or derogation under Article 49 of Gas Directive	Not applicable, as regards scope or derogation under Article 49 of Gas Directive	No IPs/Derogation

■ Implemented ■ In process of implementation at 31.12.2020
■ Not applicable, as regards scope or derogation under Article 49 of Gas Directive

Figure 1: Overview of Implementation status

The implementation monitoring shows an increase in the number of TSOs who have fully implemented all CMP GLs, compared with the previous monitoring report. In the previous report 49 TSOs were included, 38 TSOs reported to have implemented the CMP GLs whilst 11 were either in the process of implementation or derogated.

For 18 out of the 26 MSs covered in this report, it has been decided by the respective NRAs not to implement FDA UIOLI and instead implement OS+BB. FDA UIOLI is currently used in 4 MSs. In one MSs,

one TSOs is currently applying both OS+BB and FDA UIOLI while for another TSO in another MSs there is still no decision from the NRA regarding the application of OS+BB or FDA UIOLI. 2 MSs have been excluded because they hold derogations or the TSO does not have any IPs.

A detailed table showing the implementation status of the different congestion management procedures per EU Member State can be found in Annex 4.1.

2.3 COUNTRIES WITH SPECIFIC SITUATIONS

This section of the report offers a deeper analysis of the countries where either: the implementation of the CMP GLs are still ongoing; the implementation of CMP GLs have been recently finalised; or, that for other reasons, are of special interest. Except for one TSO, all the TSOs in the European Union are fully compliant with the CMP Guidelines. Special conditions apply in the three Member States where an implicit capacity allocation mechanism is used.

2.3.1 HUNGARY

In Hungary, Surrender of Capacity and LT UIOLI were implemented in the year 2013. Although the OS+BB mechanism has been introduced into the Hungarian legislation and the BB algorithm has been implemented on the Regional Booking Platform, some parts of the Hungarian domestic legislation was deemed by ACER as insufficiently detailed (i.e. when OS+BB is triggered) which is why

OS+BB was indicated as 'in process of implementation' in the previous ENTSOG CMP monitoring report. Since then, the detailed concept is still under discussion and further guidance on OS+BB will be introduced in the Business and Commercial Code of the Hungarian natural gas system, however, the NRA has decided to implement and currently applies the FDA UIOLI mechanism.

2.3.2 ROMANIA

In the case of Romania, the Romanian national legislation provided rules on how to implement Surrender of Capacity and LT UIOLI. However there are a few details which still need to be fully aligned with the CMP Annex. In this respect, Transgaz has sub-

mitted a proposal to the Romanian NRA. Regarding OS+BB or FDA UIOLI there is still no decision from the NRA. The expected implementation date for the three CMP mechanisms in Romania is 1 October 2021.

2.3.3 LATVIA

In Latvia, Surrender of Capacity and LT UIOLI were implemented already on 1st May 2017. Latvia and Estonia merged into a single balancing zone on 1st January 2020. In their draft for the network rules, the OS+BB mechanism was foreseen to be implemented after creation of one common balancing zone. At the same time as the Latvian and Estonian balancing zone merger, Finnish, Estonian and Latvian TSOs established a common entry tariff zone. These TSOs use an implicit allocation method for capacity in accordance with Article 2(5) CAM NC and have provided detailed information on this method and its effect on CMP measures. Implicit capacity allocation has also been used at Kiemenai IP between Latvia and Lithuania since July 2017.

At Kiemenai IP together with implicit capacity allocation, pro-rata allocation for yearly capacity products and first-come-first-served (FCFS) allocation for short term products are used (there is no auctioning on a booking platform). The Latvian TSO has encountered situations, when capacity on one way of booking (ICA or FCFS) is fully booked, and on the other way it is still available, which causes an artificial congestion. They solved this issue with an internal process of checking and shifting unbooked capacities to determine which capacity allocation mechanism is in need of additional capacity.

2.3.4 FINLAND AND ESTONIA

The Estonian and Finnish TSOs, with the consent of their respective NRAs, have implemented an implicit capacity allocation method for short-term cross-border capacity trade via gas exchange. In addition, the TSOs also offer day-ahead and within-day capacity products at Balticconnector entry and exit points for OTC trade. All capacity products (implicit and TSO products) are firm. Where implicit capacity allocation methods are applied, part or all capacity of the IP is allocated at the same time with the quantities of gas allocated between market areas.

Part of the CMP GLs can be applied as envisioned in Regulation (EC) No 715/2009 (third party access, transparency, etc.) also with implicit capacity allocation. However, the rules in the event of contractual congestion would not be expedient in case of implicit allocation since the capacity allocated implicitly is always firm and gas traded is allocated together with the capacity. There is no point of having buy-back, use-it-or-lose-it, or surrender of capacity as gas traded is always directly connected to the capacity allocated. There could be oversubscription, but this would be associated with a very

high risk for the TSO, as in case of day-ahead and within-day capacity, the TSO already has the latest status on the grid configuration and available technical capacity.

It should also be stressed that auctions, as set out in CAM NC, and implicit capacity allocation, can be done at the same IP if the technical capacity offered to the market is shared between those two allocation methods. However, if there is no congestion at the IP, then organising CAM NC auctions might not be efficient as there would be a low market interest and auctions are rather expensive to hold, making it burdensome for the TSOs involved.

The Estonian TSO has implemented the OS+BB, Surrender of capacity and LT UIOLI mechanisms. However, they are used only at entry points with Russia on the basis of Article 2(1) CAM NC, since implicit allocation is used at the Balticconnector IP. Finland has included a provision in their gas market act which states that "the Gas Market Regulation and Commission regulations and guidelines issued thereof shall apply to natural gas transmission networks located in Finland from 1 January 2020".

Picture courtesy of Gasgrid Finland



2.3.5 COUNTRIES WITH CONGESTED IPs

There are 14 TSOs⁵ out of the survey participants that were in the situation of having at least one of their IPs labelled as congested in ACER's Congestion Report 2020. These TSOs come from 9 different EU Member States:

EU Member State	TSO(s)
Austria	GCA
Bulgaria	Bulgartransgaz
Czech Republic	NET4GAS
France	Terega
Germany	GASCADE GTG Nord OGE Thyssengas OPAL GUD
Hungary	FGSZ
Netherlands	GTS
Romania	Transgaz
Spain	Enagas Transporte S.A.U

5 Additionally to these 14 TSOs, seven TSOs had IPs that were labeled as 'congested' in ACER's Congestion Report 2020 which are not included in the present report, for the following reasons: **Denmark (Energinet)**: The entry point Ellund has been excluded because the congestion label is due to a lower firm level on the German side. **Germany (bayernets)**: IPs Überackern and Überackern 2 have been excluded because no FZK capacity was offered in both directions during the relevant time periode. Bayernets offered BZK capacity (restricted point to point capacity) at Überackern 2 in both directions which was not sold out. **Germany (terragnets bw)**: Due to capacity reduction at IP Thayngen-Fallentor, there was no firm capacity marketable during quarterly and monthly auctions, as all the remaining capacity was already marketed in the yearly auction. In addition, the point is only feeding a regional grid with no CAM/CMP application on the other side of the border. **Germany (Lubmin-Brandov, OGE, Thyssengas)**: Since only IPs which are CAM relevant on both sides of the IP are included in the scope of this report, IPs Emden (EPT1), Dornum GASPOOL and Greifswald have been excluded as the connected operators are Gassco and NordStream. **Netherlands (GTS)**: The IP Bunde/Oude Stanzijl has been excluded because the congestion label is due to a lower firm level on the German side. **Romania (Transgaz)**: IPs Negru Voda II and Negru Voda III have been excluded because no Third-Party Access (TPA) conditions are applied due to existing legacy contracts.



2.4 CONCLUSIONS IMPLEMENTATION MONITORING

- ▲ Only one TSO was still in the process of implementing some of the CMP measures by the end of 2020. This TSO has indicated that all CMP measures are expected to be implemented by October 2021.
- ▲ All other ENTSOG members have fully implemented the CMP GLs. When it comes to the choice between OS+BB and FDA UIOLI, most NRAs have approved the implementation of the OS+BB mechanism instead of FDA UIOLI.
- ▲ Three TSOs use an implicit allocation method for capacity in accordance with Article 2(5) CAM NC and have provided detailed information on how this method effects the use of CMP measures.



3 EFFECT MONITORING

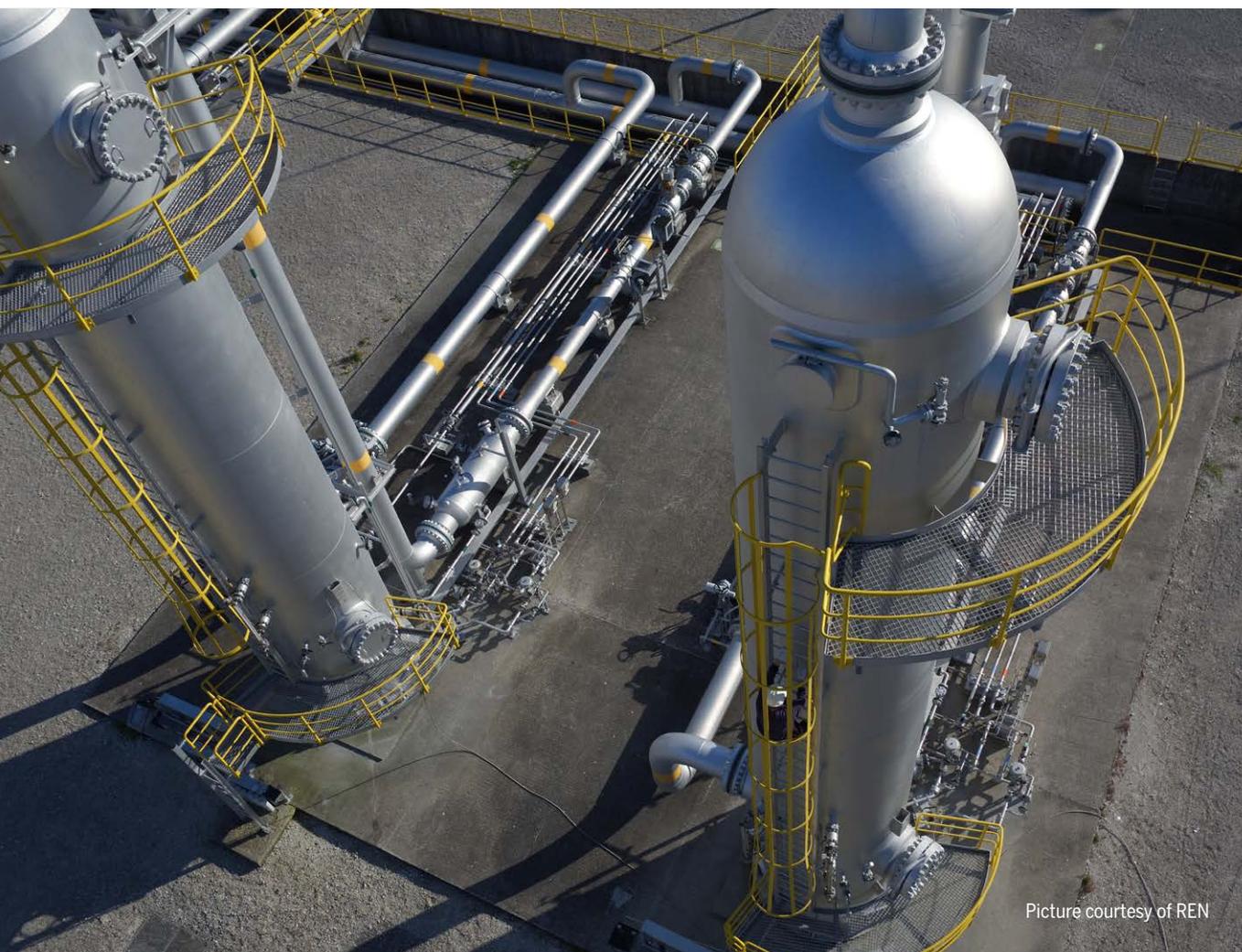
3.1 INTRODUCTION

The collected data for effect monitoring corresponds to the gas years 2018/2019 and 2019/2020. Only TSOs with IPs identified as “congested” by ACER in its two latest contractual congestion reports⁶ contribute to the data collection for the effect monitoring. As such, a total of 18 TSOs were asked to complete the questionnaire.

To measure the effects of CMPs in the European market, ENTSOG and its members agreed on two indicators that show the impact of introducing con-

gestion management mechanisms at IPs. Effect monitoring is performed only on the *side* of the IP labelled as congested by ACER.

6 6th and 7th ACER Reports on Contractual Congestion in the EU Gas Markets



Picture courtesy of REN

3.2 CMP EFFECT MONITORING INDICATORS

3.2.1 INDICATOR 1 (CMP.1): ADDITIONAL CAPACITY VOLUMES MADE AVAILABLE THROUGH EACH CMP

▲ **Premise 1:** gas years to be used are 2018/2019 and 2019/2020

▲ **Premise 2:** MWh/h/y is used as the unit for every product to monitor the evolution of the below mentioned ratio by gas year for each of the 4 CMP measures.

Calculation formula:

$$CMP.1x = \frac{ACMPx}{OCMPx} \times 100$$

Where:

CMP.1x: Return ratio of additional capacity allocated through a given CMP measure, relative to the total additional capacity offered through the given CMP measure.

ACMPx: Sum of additional capacity allocated through a given CMP measure.

OCMPx: Sum of additional capacity offered through a given CMP measure.

Interpretation:

CMP.1x = 100:

All the additional capacity offered through the CMP measure has been allocated, indicating a high market demand for this additional capacity. It also indicates a high efficiency of the CMP measure that allows for the complete reallocation of capacities.

CMP.1x < 100:

This indicates that not all the additional capacity offered through the CMP measure was allocated, meaning there was a lower market demand for this additional capacity during the period under consideration. It can also indicate the level of efficiency of the CMP measure in reallocation of capacities.

The "x" in CMP.1x, ACMPx and OCMPx is to be replaced with one of the following numbers, depending on the CMP measure it was calculated for:

- ▲ 1 for Oversubscription and Buy-Back
- ▲ 2 for Firm Day-Ahead UIOLI
- ▲ 3 for Surrender of Contracted Capacity
- ▲ 4 for Long-term UIOLI

Note: If the amount of unused capacity reallocated by TSOs to the market measures the effectiveness of CMP, a deeper analysis of congested IPs will also be needed to gain a better understanding of the specific situation at each IP.

3.2.2 INDICATOR 1 (CMP.1): RESULTS

The following tables and graphs show the results for indicator CMP.1 for the GY 2018/2019 and 2019/2020. The analysis includes data from 17 IP sides in GY 2018/2019 and 24 IP sides for GY 2019/2020. All the included IPs are specified in Annex 4.3.

Gas Year 2018/2019

	OS+BB	FDA UIOLI	SURRENDER	LT UIOLI
Additional Capacity Offered (MWh/h/y)	91.64	3,966,270.82	7,385,499.40	–
(Re)allocated Capacity (MWh/h/y)	5.32	514,573.66	4,080,805.80	–
Ratio	6 %	13 %	55 %	–

Gas Year 2019/2020

	OS+BB	FDA UIOLI	SURRENDER	LT UIOLI
Additional Capacity Offered (MWh/h/y)	30,635.64	11,082,458.11	23,536,263.98	–
(Re)allocated Capacity (MWh/h/y)	366.54	1,759,603.37	8,036,685.00	–
Ratio	1 %	16 %	34 %	–

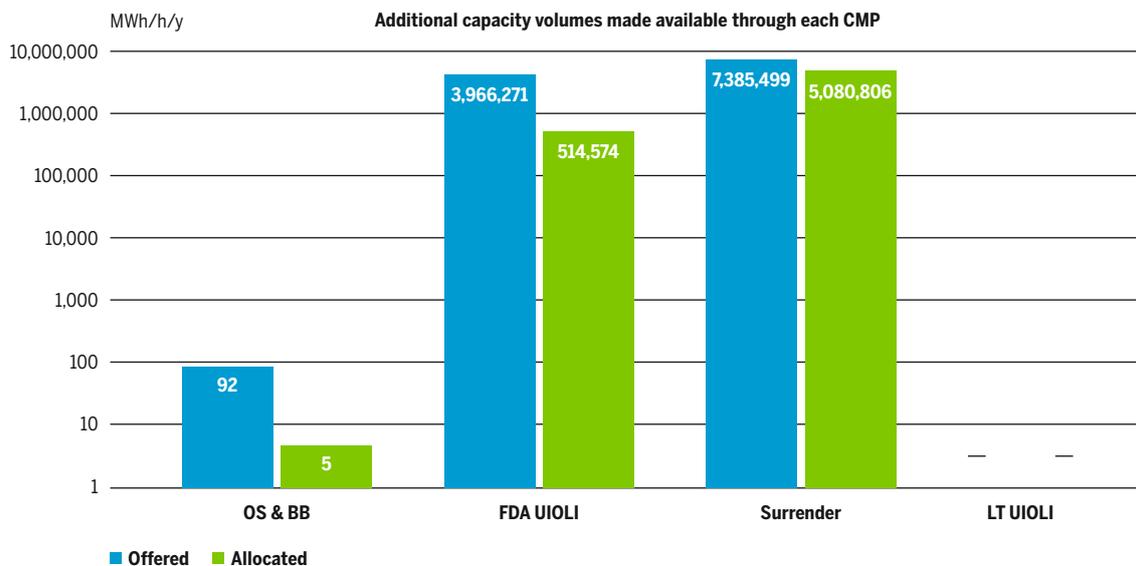


Figure 2: Results of CMP indicator 1 in MWh/h/y GY 2018/2019

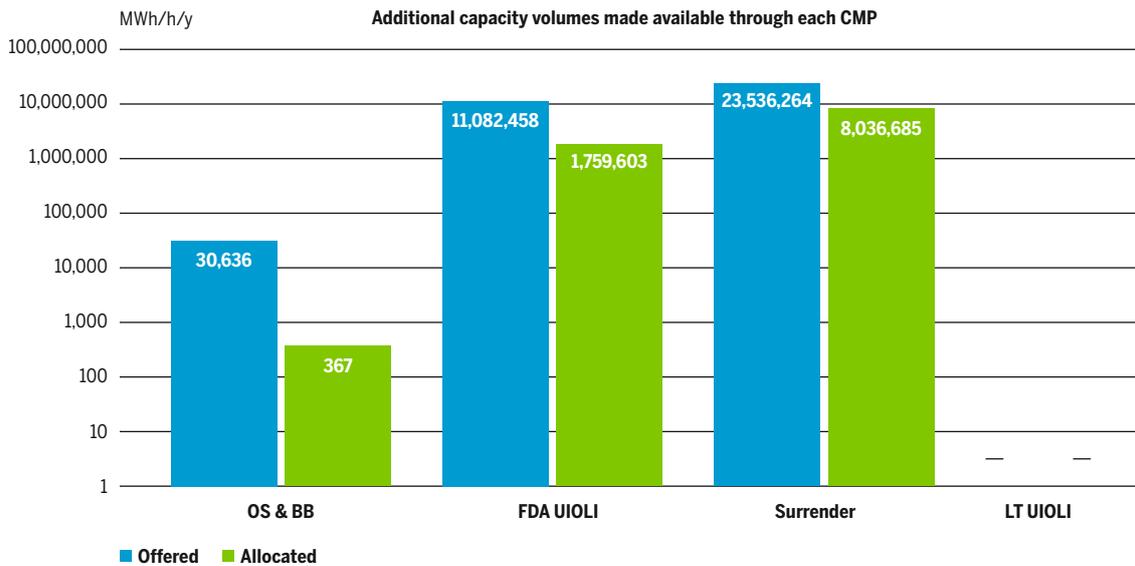


Figure 3: Results of CMP indicator 1 in MWh/h/y GY 2019/2020

As shown in Figures 2 and 3, FDA UIOLI and Surrender of contracted capacity are the two CMP mechanisms that released the most capacity at congested IPs for the observed period, while the LT UIOLI mechanism and OS+BB did not provide any or very little additional capacity to the market. It can also be observed that Surrender of contracted capacity resulted in the highest ratio between offered and reallocated capacity.

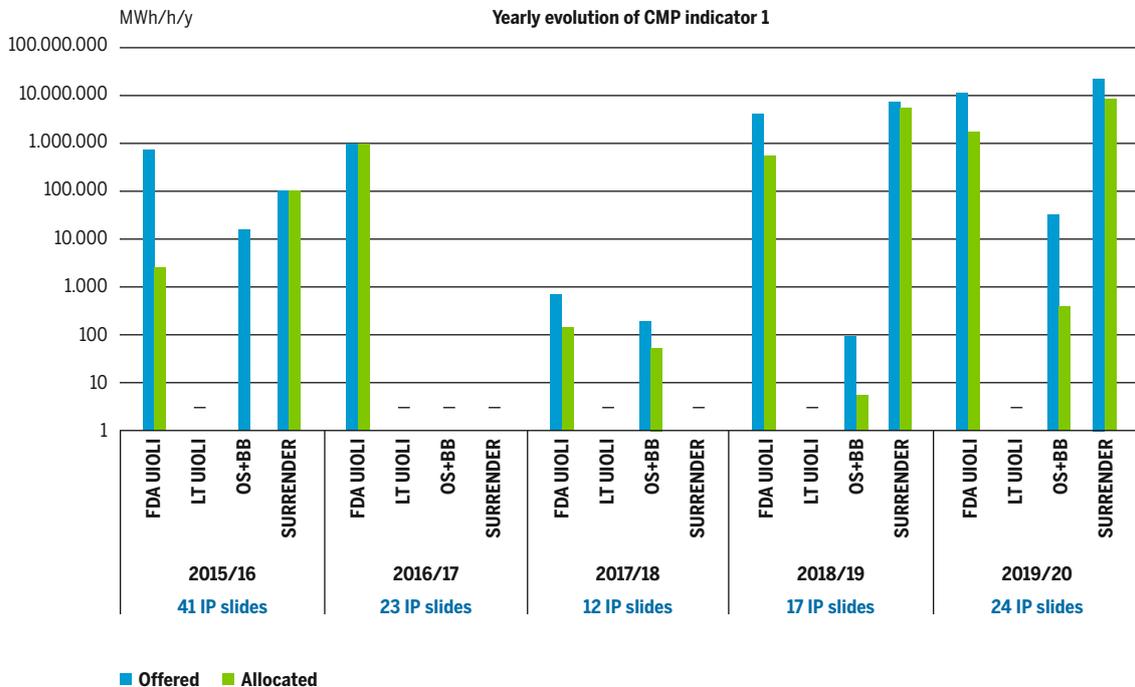


Figure 4: Additional capacity volumes in MWh/h/y made available through each CMP for all GYs since 2015/2016

Figure 4 shows the evolution of all CMP measures since GY 2015/2016 by tracking the capacity made available. It also shows the number of IP sides included in the analysis for each GY. The figure shows that there has been an increase in capacity made available through CMPs in the two latest GYs.

3.2.2.1 Over-Subscription and Buy-Back

In the gas year 2018/2019, about 6 % of the additional capacity offered through OS+BB at congested IPs has been allocated to the market. For gas year 2019/2020, the corresponding value was about 1 % of the additional capacity offered.

Out of the 18 TSOs included in this report, 9 have implemented FDA UIOLI and 7 have chosen to apply the OS+BB mechanism. One TSO is currently applying both OS+BB and FDA UIOLI while for one TSO there is still no decision from the NRA regarding the application of OS+BB or FDA UIOLI.

3.2.2.2 Firm Day-Ahead Use-It-Or-Lose-It

Most NRAs in Europe have decided to apply, in their respective national entry-exit systems, the OS+BB mechanism instead of FDA UIOLI. However, many of the TSOs whose IPs are considered by ACER to be “congested” have implemented FDA UIOLI as requested by their NRAs. The survey participants who implemented FDA UIOLI represent TSOs from Austria, Germany and Hungary. The survey participants with congested IPs that are instead applying OS+BB, represent TSOs from Bulgaria, Estonia,

Netherlands, France, Greece, Slovakia, and Spain. The Czech Republic has implemented both OS+BB and FDA UIOLI.

Network users made use of 13 % of the additional capacity made available through the FDA UIOLI mechanism in the gas year 2018/2019 and 16 % of the additional capacity made available in the gas year 2019/2020. The ratio of additional capacity allocated compared to offered capacity through FDA UIOLI has increased between the two gas years.

3.2.2.3 Surrender of Capacity

In the last two ENTSO reports, covering gas years 2016/2017⁷ and 2017/2018⁸, there was no surrendered capacity reported at all. In the report prior to those two gas years, Surrender of Capacity appeared to be an efficient mechanism to ease congestion, which can also be observed in Figure 4.

Network users made use of 55 % of the additional capacity made available through the Surrender mechanism in the gas year 2018/2019 and 34 % of the additional capacity made available in the gas year 2019/2020. Not only does Surrender of Capacity have the highest ratio between offered and reallocated capacity out of all the CMP meas-

ures, but it is also the most used CMP measure both in gas year 2018/2019 (65 % of capacity being offered through Surrender) and gas year 2019/2020 (68 % of capacity being offered through Surrender).

The offer and re-allocation of surrendered capacity is largely attributed to one single TSO, both for gas year 2018/2019 and 2019/2020. If the capacity offered and reallocated by this TSO is excluded from the evaluation, the ratio of allocated capacity decreases to 0 % for both gas years, which indicates that the actual need for additional capacity is limited, and highly concentrated to three IPs in one MS.

3.2.2.4 Long-Term Use-It-Or-Lose-It

LT UIOLI is a mechanism that prevents network users from holding on to capacity, thereby hindering other network users in the market from accessing it. Thus, if one network user is holding on to capacity at a congested IP and the use of this capacity is low or zero during a certain period of time, the LT UIOLI mechanism will be applied and requires the net-

work user to release this unused capacity and allow others to book it.

At all currently congested IPs in Europe, additional capacity through the LT UIOLI mechanism is not offered since the booked capacity is actually used over a longer period of time and to a high degree by the network users.

7 Congestion Management Procedures Guidelines Implementation and Effect Monitoring Report 2017

8 Congestion Management Procedures Guidelines Implementation and Effect Monitoring Report 2018

3.2.3 INDICATOR 2 (CMP.2): SHARE OF CAPACITY REALLOCATED THROUGH CMP AMONG TOTAL CAPACITY REALLOCATED

Calculation formula:

$$CMP.2 = \frac{ACMPx}{(ACMP + ASM)} \times 100$$

Where:

CMP.2: Return ratio of additional capacity allocated through all CMP measures relative to the total allocation of additional capacity within a definite period of time.

ACMP: Sum of allocated additional capacity offered through all CMP measures within a definite period of time.

ASM: Sum of allocated capacity acquired from organized secondary markets within the same period.

Interpretation:

CMP.2 = 100:

All reallocated capacity is supplied through CMP measures applied by TSOs

CMP.2 < 100:

This indicates that network users reallocate some capacity themselves using the secondary markets and not only through CMP measures applied by TSOs



3.2.4 INDICATOR 2 (CMP.2): RESULTS

Also for this indicator, 17 IP sides were included in the analysis for gas year 2018/2019 and 24 IP sides for the gas year 2019/2020.

In figure 5 and 6, we can see that both means of re-offering unused capacity, via CMP mechanisms and via the secondary market, have been used in Europe during the past two gas years.

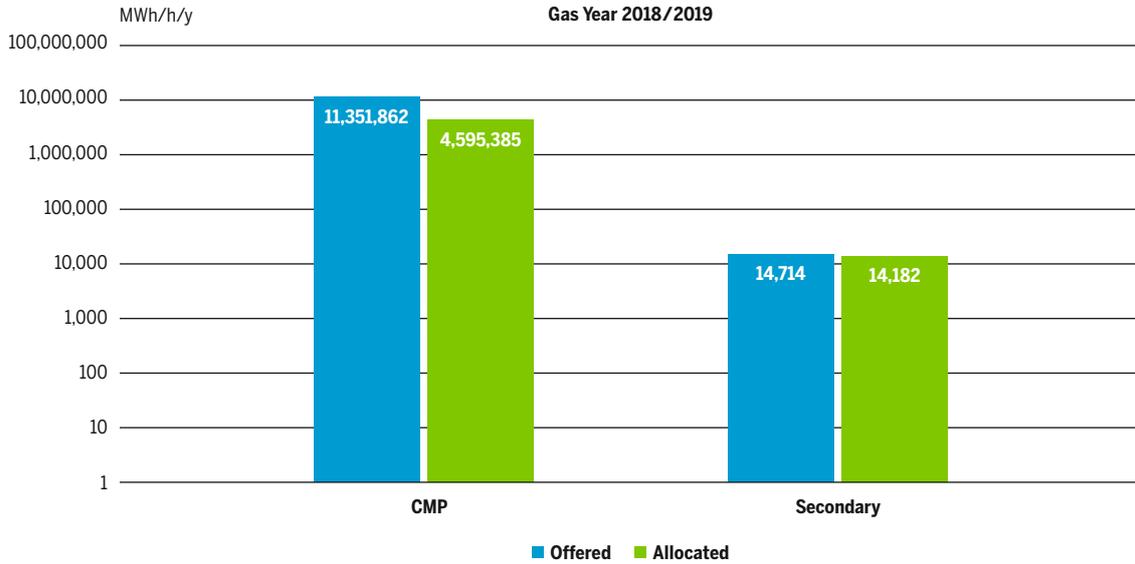


Figure 5: Results of CMP indicator 2 in MWh/h/y for GY 2018/2019

$$CMP.2 = \frac{ACMPx}{(ACMP + ASM)} \times 100 = 99.7\%$$



Picture courtesy of GASCADE

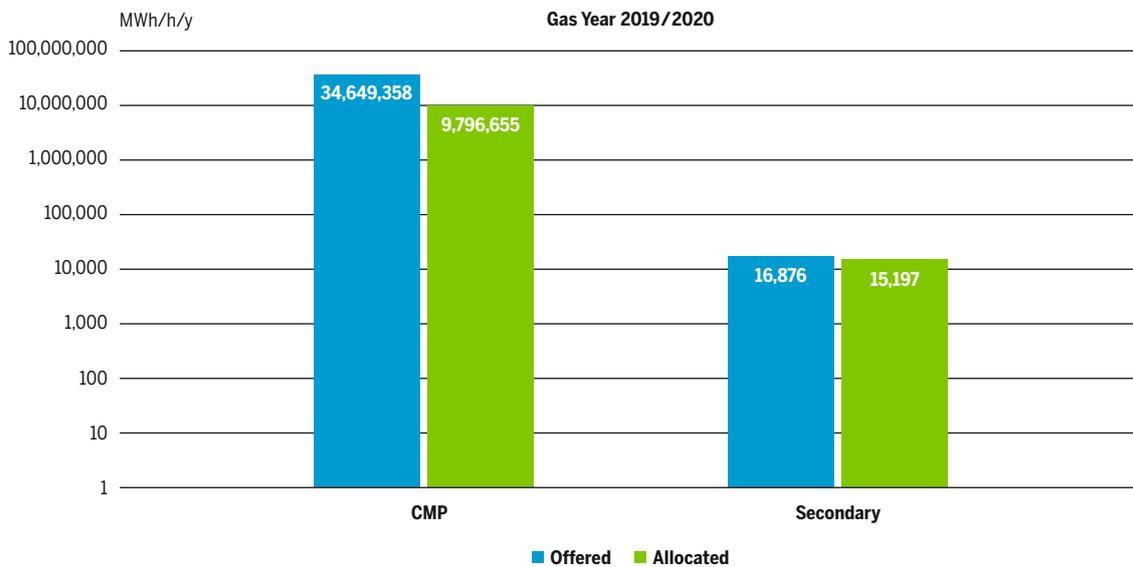


Figure 6: Results of CMP indicator 2 in MWh/h/y for GY 2019/2020

$$CMP.2 = \frac{ACMPx}{(ACMP + ASM)} \times 100 = 99.8\%$$

Compared to previous reports, the offering of additional capacity on the secondary market has declined. For both gas year 2018/2019 and 2019/2020 the amount of capacity that was reoffered on the secondary market was less than 1 percent of the total amount of reoffered capacity. However, it is important to note that the secondary market has a very high reallocation ratio, 96 % in gas year 2018/2019 and 90 % in gas year 2019/2020.

For gas year 2018/2019, 40.5 % of the capacity being offered through CMPs at congested IPs was allocated and for gas year 2019/2020 the corresponding value was 28.3 %. However, bilateral agreements between network users (secondary market) are still contributing to the re-offer and re-allocation of unused capacity and thus helps to ease congestion.

3.3 CONCLUSIONS EFFECT MONITORING

The final analysis allows the following conclusions to be drawn: The current ways of offering additional capacity through existing CMP mechanisms allow network users to still access the market in situations where IPs are contractually congested.

- ▲ The current⁹ situation in the European gas market shows that, of the total amount of additional capacity offered through CMP mechanisms, around 28 % to 41 % is reallocated to the market. This indicates that the measures help in managing contractual congestion situations.
- ▲ It has proven to be somewhat difficult to analyse and draw conclusions from previous reports since the IP sides included in the analysis differ from year to year, depending on which IPs are found to be congested in the ACER contractual congestion reports. It can however be concluded that the most used CMP measure vary somewhat between the gas years and in 2018/2019 and 2019/2020 Surrender of Capacity had the highest ratio of allocated capacity.
- ▲ The secondary market has been widely accepted and heavily used in past reports. However in the last two gas years, the use of the secondary market has declined significantly compared to previous years. As such, CMP mechanisms now account for over 99 % of capacity reallocations.

9 Gas years 2018/2019 and 2019/2020



4 ANNEX

4.1 OVERVIEW OF IMPLEMENTATION STATUS IN EACH EU MEMBER STATE

The following table shows the implementation status of the different congestion management procedures per EU Member State.

Country	OS+BB	FDA UIOLI	LT UIOLI	Surrender of Capacity	Comment
Austria	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	Implemented	
Belgium	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	
Bulgaria	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	
Croatia	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	
Czech Republic	Implemented	Implemented	Implemented	Implemented	
Denmark	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	
Estonia	Implemented	Implemented	Implemented	Implemented	Derogation under Article 49 of Gas Directive
Finland	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	Derogation under Article 49 of Gas Directive
France	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	
Germany	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	Implemented	
Greece	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	
Hungary	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	Implemented	OS+BB currently under discussion
Ireland	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	
Italy	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	Implemented	Further measures to prevent congestions could be evaluated by the Regulator in the future (see Resolution 464/2016/R/gas, point 2.b)
Latvia	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	
Lithuania	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	
Luxembourg	Not applied or derogation under Article 49 of Gas Directive	Not applied or derogation under Article 49 of Gas Directive	Not applied or derogation under Article 49 of Gas Directive	Not applied or derogation under Article 49 of Gas Directive	Derogation under Article 49 of Gas Directive
Netherlands	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	
Poland	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	
Romania	In process of implementation	Implementation of CMP measures expected at the end of 2021			
Portugal	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	
Slovakia	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	
Slovenia	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	
Spain	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	
Sweden	Not applied or derogation under Article 49 of Gas Directive	Not applied or derogation under Article 49 of Gas Directive	Not applied or derogation under Article 49 of Gas Directive	Not applied or derogation under Article 49 of Gas Directive	Not applicable
United Kingdom ¹⁰	Implemented	Not applied or derogation under Article 49 of Gas Directive	Implemented	Implemented	

■ Implemented ■ In process of implementation
■ Not applied or derogation under Article 49 of Gas Directive

Figure 7: Overview of Implementation status in each EU Member State

¹⁰ At the time of reference for this report the United Kingdom was still part of the European Union and has therefore been included in the report.

4.2 SURVEY PARTICIPANTS IMPLEMENTATION MONITORING

Member State	TSO
Estonia	Elering AS
Finland	Gasgrid Finland Oy
Hungary	FGSZ Zrt.
Latvia	Conexus Baltic Grid AS
Romania	Trasngaz S.A.
Austria	GCA
Bulgaria	Bulgartransgaz
Czech Republic	NET4GAS
France	Terega (TIGF)
Germany	GASCADE GTG Nord OGE Thyssengas OPAL GUD
Netherlands	GTS
Spain	Enagas Transporte S.A.U

- Included because they had not implemented all CMP GL measures in the previous report.
- Included due to the presence of at least one of their IPs in ACER's Congestion Report.
- Both

Figure 8: List of TSOs participating in the implementation monitoring

Figure 8 lists the 17 TSOs who answered the implementation monitoring questionnaire during November – December 2020. 14 TSOs were asked to answer the questionnaire due to the presence of at least one of their IPs in ACER's Congestion Report. The CMP Annex states that in case one IP is mentioned in ACER's Congestion Report as "congested", the relevant NRA shall require the TSO to apply the FDA UIOLI mechanism, and this is why these TSOs

were included. Two out of these 14 TSOs were also asked to answer the questionnaire as TSOs who had not implemented all CMP GL measures in the previous report.

TSOs which had implemented all CMP GL measures in the previous ENTSOG CMP report were not asked to answer the questionnaire again.

4.3 SURVEY PARTICIPANTS AND INCLUDED IPs EFFECT MONITORING

Figure 9 lists the 18 TSOs who answered the effect monitoring questionnaire during November – December 2020. The TSOs included in the survey

are those with one or more IPs labelled as “congested” in ACER’s Congestion Reports, published in 2019 and 2020.

Member State	TSO	Included IPs GY 2018/2019	Included IPs GY 2019/2020
Austria	GCA	Mosonmagyarovar Überackern SUDAL (AT)/ Überackern 2 (DE)	Mosonmagyarovar Überackern SUDAL (AT)/ Überackern 2 (DE) Oberkappel
	TAG GmbH	Tarvisio (IT)/Arnoldstein (AT)	
Bulgaria	Bulgartransgaz		Ruse (BG)/Giurgiu (RO)
Czech Republic	NET4GAS		Brandov/OPAL– VIP BRANDOV-GASPOOL VIP Brandov-GASPOOL
Estonia	Elering	Karksi entry Karksi exit	
France	Terega	VIP PIRINEOS	VIP PIRINEOS
Germany	GASCADE	Bunde (DE)/Oude Statenzijl (H) (NL) Kienbaum	VIP Brandov-GASPOOL Kienbaum
	GTG Nord	Bunde (DE)/Oude Statenzijl (L) (NL)	Bunde (DE)/Oude Statenzijl (L) (NL)
	GUD	Bunde (DE)/Oude Statenzijl (H) (NL)	Ellund Bunder-Tief
	OGE		Zevenaar Winterswijk
	OPAL		Brandov/OPAL – VIP BRANDOV-GASPOOL
	Thyssengas		Zevenaar
Greece	DESFA S.A.	Kulata (BG)/Sidirokastron (GR)	
Hungary	FGSZ	Csanadpalota	Csanadpalota
		Dravaszerdahely Mosonmagyarovar	Mosonmagyarovar
Netherlands	GTS		Winterswijk ¹¹ Zevenaar (Thyssengas) ¹² Zevenaar (OGE) ¹³
Romania	Transgaz	Csanadpalota	Csanadpalota Ruse (BG)/Giurgiu (RO)
Slovakia	Eustream	Baumgarten	
Spain	Enagas Transporte S.A.U	VIP PIRINEOS	VIP PIRINEOS ¹⁴

Figure 9: List of TSOs participating in the effect monitoring

11 from 01-04-20 VIP NCG-L

12 from 01-04-20 part of VIP NCG-L. Up until 01-04-2020, Zevenaar IP and Winterswijk IP formed one capacity cluster with the OS & OB capacity being allocated at the cluster. The OS+BB capacity has therefore only been counted once. The capacity that was allocated after 01-04-20 at the VIP was also only counted once. The capacity that was offered and allocated at the secondary market for the VIP was also only counted once.

13 Idem.

14 At VIP Pirineos during the last two yearly auctions capacity was allocated at a premium over the reserve price. At zero reserve price shippers demand was higher than the capacity offer; thus, the auction went to the next round meaning a premium over the reserve price. However, at this price step shippers' demand was much lower than the initial capacity requested, so not all the offered capacity was allocated.

In addition to the TSOs listed in Figure 9, other TSOs and IPs were mentioned in ACER's Congestion Reports which are not included in the present report, for the following reasons:

- ▲ **Belgium (Fluxys Belgium):** IP Blaregnies L has been excluded because the only offer of Entry at the IP is for capacities as Backhaul, which is not a firm capacity but conditional, and therefore not either bundled by the adjacent TSO.
- ▲ **Denmark (Energinet):** The entry point Ellund has been excluded because the congestion label is due to a lower firm level on the German side.
- ▲ **Germany (bayernets):** IPs Überackern and Überackern 2 have been excluded because no FZK capacity was offered in both directions during the relevant time period. Bayernets offered BZK capacity (restricted point to point capacity) at Überackern 2 in both directions which was not sold out.
- ▲ **Germany (Fluxys TENP GmbH):** Eynatten 2 has been excluded, since the capacities has been transferred into the VIP Belgium-NCH, marketed by OGE on the German side as from 01.07.2019, with no congestion on the VIP since then.
- ▲ **Germany (GRTgaz Deutschland):** The IP Oberkappel has been excluded. It was a shared IP in 2018/19, between GRTgaz Deutschland and OGE. Although GRTgaz Deutschland's capacity share was fully booked, OGE's exit share which is more than 10 times larger was not congested. There was always firm capacity available from Germany to Austria via Oberkappel for the network users.
- ▲ **Germany (GUD, Lubmin-Brandov, OGE, Thyssengas):** Since only IPs which are CAM relevant on both sides of the IP are included in the scope of this report, IPs Emden (EPT1) and Dornum GASPOOL, Dornum (EPT1 & EPT2) and Greifswald have been excluded as the connected operators are Gassco (NO) and Nord-Stream (RU).
- ▲ **Germany (terranets bw):** Due to capacity reduction at IP Thayngen-Fallentor, there was no firm capacity marketable during quarterly and monthly auctions, as all the remaining capacity was already marketed in the yearly auction. In addition, since only IPs which are CAM relevant on both sides of the IP are included in the scope of this report, IP Thayngen-Fallentor has been excluded.
- ▲ **Netherlands (BBL):** BBL and GTS integrated their market area from the 1st of January 2018. Therefore, from that date IP Julianadorp was eliminated and has thus been excluded from this report. Regarding the IP Bacton, the direction in ACERs congestion report is 'entry', which implies the direction NG-BBL. However, BBLC was a unidirectional pipeline until September 2019, so it has therefore been excluded from this report as well.
- ▲ **Netherlands (GTS):** The IP Bunde/Oude Statenzijl has been excluded because the congestion label is due to a lower firm level on the German side.
- ▲ **Romania (Transgaz):** IPs Negru Voda II and Negru Voda III have been excluded because no Third-Party Access (TPA) conditions are applied due to existing legacy contracts.

5 COUNTRY CODES (ISO)

AT	Austria	IT	Italy
BE	Belgium	LT	Lithuania
BG	Bulgaria	LU	Luxembourg
CH	Switzerland	LV	Latvia
CY	Cyprus	MT	Malta
CZ	Czechia	NL	Netherlands, the
DE	Germany	NO	Norway
DK	Denmark	PL	Poland
EE	Estonia	PT	Portugal
ES	Spain	RO	Romania
FI	Finland	RU	Russia
FR	France	SE	Sweden
GR	Greece	SI	Slovenia
HR	Croatia	SK	Slovakia
HU	Hungary	UK	United Kingdom
IE	Ireland		

6 ABBREVIATIONS

ACER	European Union Agency for the Cooperation of Energy Regulators
CMP GL	Congestion Management Procedures Guidelines
ENTSOG	European Network of Transmission System Operators for Gas
EU	European Union
FDA	Firm Day-Ahead
FCFS	First come first served
ICA	Implicit Capacity Allocation
IP	Interconnection Point
LT	Long-Term
NRA	National Regulatory Authority
OS+BB	Oversubscription and Buy-Back
TSO	Transmission System Operator
UIOLI	Use it or Lose it

7 LEGAL DISCLAIMER

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