

ACER



Agency for the Cooperation
of Energy Regulators

Transparency monitoring Compliance with requirements from Chapter 3, Annex I, of Regulation 715/2009

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XXII Madrid Forum
2 October 2012

Outline

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- Main findings
- Overview of results
- Stakeholders' feedback
- Conclusions and way forward
- Annex - Detailed results per requirement

Scope of the analysis

- The inquiry refers to the transparency obligations as established in the EC Decision of 10 November 2010, applicable since 3 March 2011
- Chapter 3 of Annex I to Regulation 715/2009 introduces a set of transparency obligations on transmission system operators (TSOs) in relation to:
 - **Content** of publication: system and services, capacity information, gas flows, etc.
 - **Scope** of information published: information for certain relevant points
 - **Format** of publication: accessibility, frequency, user-friendliness
- ACER presented the preliminary results based on **TSOs' self-assessment** in the last Madrid Forum in March 2012
- The Agency is presenting now the **final results** of this analysis
- The analysis covers **40 TSOs** from **21 EU Member States** (all but Malta, Cyprus, and those where TSOs are not yet bound by transparency obligations in Regulation 715/2009: Estonia, Finland, Latvia and Luxembourg)
- The **Gas Regional Initiative** has been a good instrument for this analysis
- The South region has also analysed the compliance of **LNG and storage** system operators with articles 15, 19 and 20 of Regulation 715/2009

Main findings

- In general there is a **high degree of compliance**, in particular in:

- ✓ Description of transmission system and services
- ✓ Network code and contracts, pressure requirements, interruption procedure
- ✓ Provisions on CAM, CMP anti-hoarding and reutilisation
- ✓ Nomination and matching procedures
- ✓ Balancing rules and imbalance charges
- ✓ Rules for connection to TSOs' facilities
- ✓ General information on technical/booked-available/firm-interruptible capacity
- ✓ User-friendly instruments for calculating tariffs
- ✓ Form of publication (easy access, user-friendliness, downloadable formats, etc.)

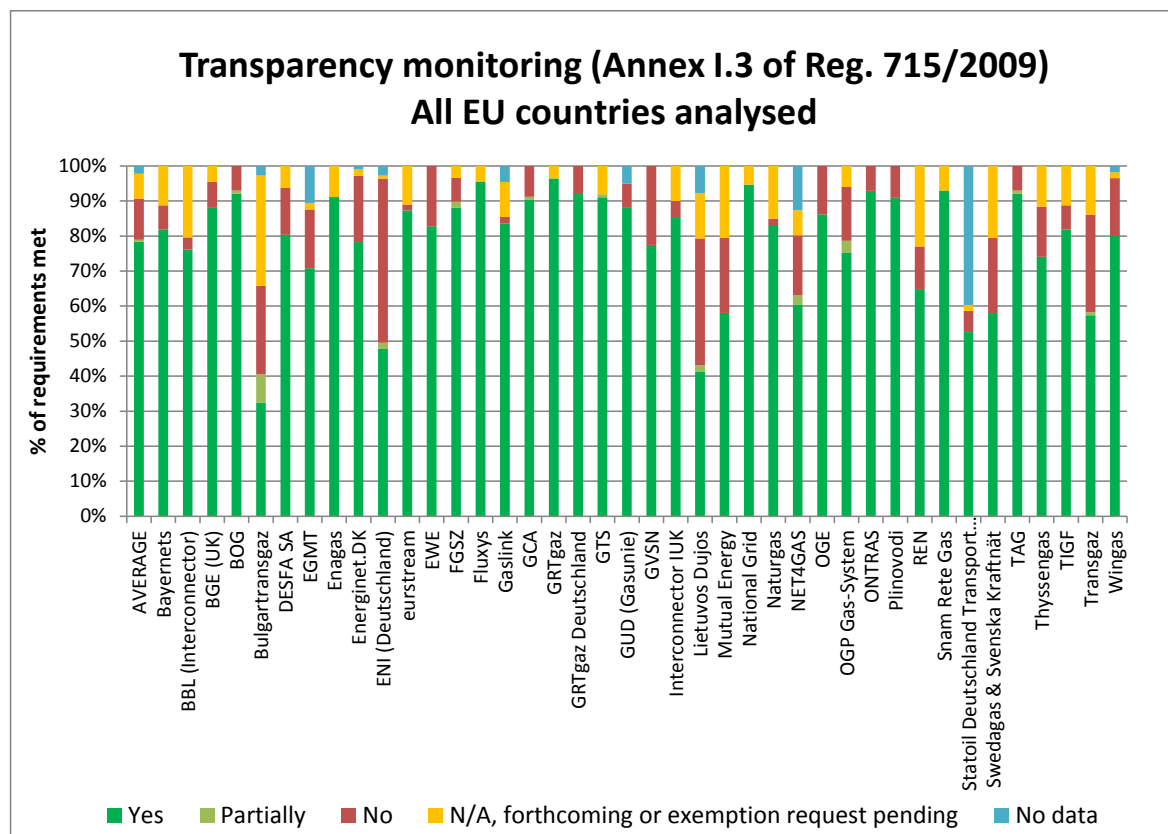
- However, there is still **lack of compliance** in a number of areas:

- x Information "near real time" of actual physical flows
- x Historical information on capacities, nominations, interruptions, physical flows
- x Flexibility and tolerance levels, planned and actual interruptions
- x Methodology, process and parameters for capacity calculation
- x Measured values of the gross calorific value or Wobbe index
- x Information about the secondary market (N/A in many cases) and for balancing purposes

Overview of results

Level of compliance per TSO

- On average, about **78%** of requirements met by TSOs
- Twelve TSOs above 90% of compliance, 25 above 80%. Three below 50%



Notes:

- Answers where "no" does not imply non-compliance are not considered (e.g. information published by third party)
- Some results are under revision with the concerned TSOs and NRAs (e.g. Germany – updated at Jan 2012)

Stakeholders' feedback

- Public consultations of TSOs' answers have been run in the three gas regions:
 - **North-West region:** November 2011 – January 2012 (11 responses)
 - **South region:** March – June 2012 (5 responses)
 - Remaining countries (**SSE region and non-GRI**): August 2012 (5 responses)
- In addition, a **public workshop** was organised by ACER in Ljubljana on 13 September

General comments

- › Remarkable efforts have been made by TSOs. There has been significant progress
- › However, there is room for improvement. Stakeholders don't share the overall "green picture"
- › Compliance is not just a "tick-list" exercise, issues are beyond the quantitative analysis
- › TSOs await for specific guidance from NRAs to implement the requirements

Quality, consistency, frequency and availability of the information

- › Despite overall compliance, large variety in the quality of information
- › Issues on readiness, timeliness, completeness and consistency
- › Multiplicity of sources and websites make it hard to find and process information
- › Quality **standards** and a **single transparency platform** supported by many stakeholders

Stakeholders' feedback

Accuracy of TSOs' responses

- » The questionnaires broadly reflect the information available, but not always its quality
- » Implicit degree of subjectivity and interpretation concerning some requirements
- » Compliance with some requirements is directly related to market design

User-friendliness of information and free access

- » The degree of user-friendliness of the websites and platforms differs considerably
- » Standardisation of formats would improve ease of access
- » Information is free of charge, but registration is necessary in some cases

Availability close to real time

- » Requirement difficult to assess, but in view of many users only a few TSOs publish data close to real time
- » Information on actual gas flows seems to be a major issue
- » Insufficient frequency of data publication in some TSO websites compared to others

Conclusions and way forward

- **Satisfactory level of compliance** of most TSOs against the transparency requirements of Section 3, Annex 1 of Regulation 715/2009, in certain fields:
 - ✓ Information about the system, services provided, procedures and general data of technical and available/booked capacities
- **Substantial lack of compliance** has been identified in certain areas:
 - ✗ Information “near real time”, historical information, flexibility and tolerances, interruptions and information related to secondary market and balancing
- There are **remaining issues** especially as regards **timeliness** (information near real time or as soon as available to the TSO, e.g. gas flows) and **quality**. Stakeholders ask for **common standards** and **EU-wide Transparency platform**
- Different perception by NRA and stakeholders in several instances
- **NRAs should take action to enforce compliance** with these requirements, by analysing the issues together with TSOs in order to bring them into compliance

The main conclusions of this analysis will be incorporated into the forthcoming **ACER/CEER Monitoring report 2012**

Thank you for your attention!

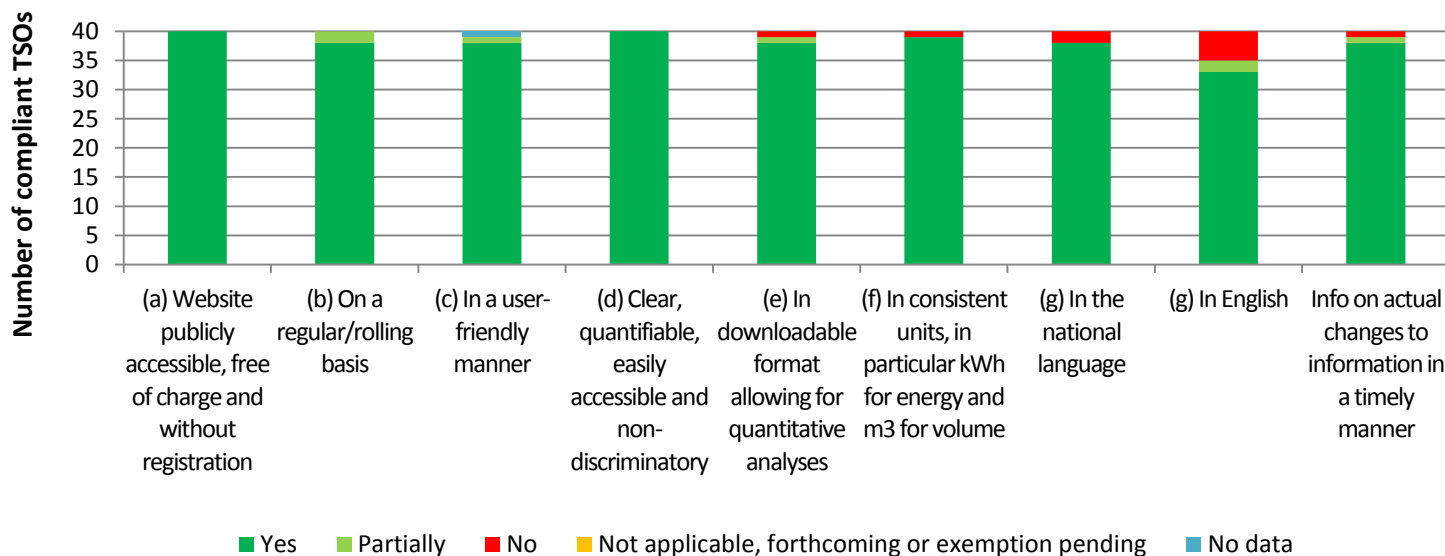


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Annex

Detailed results per requirement

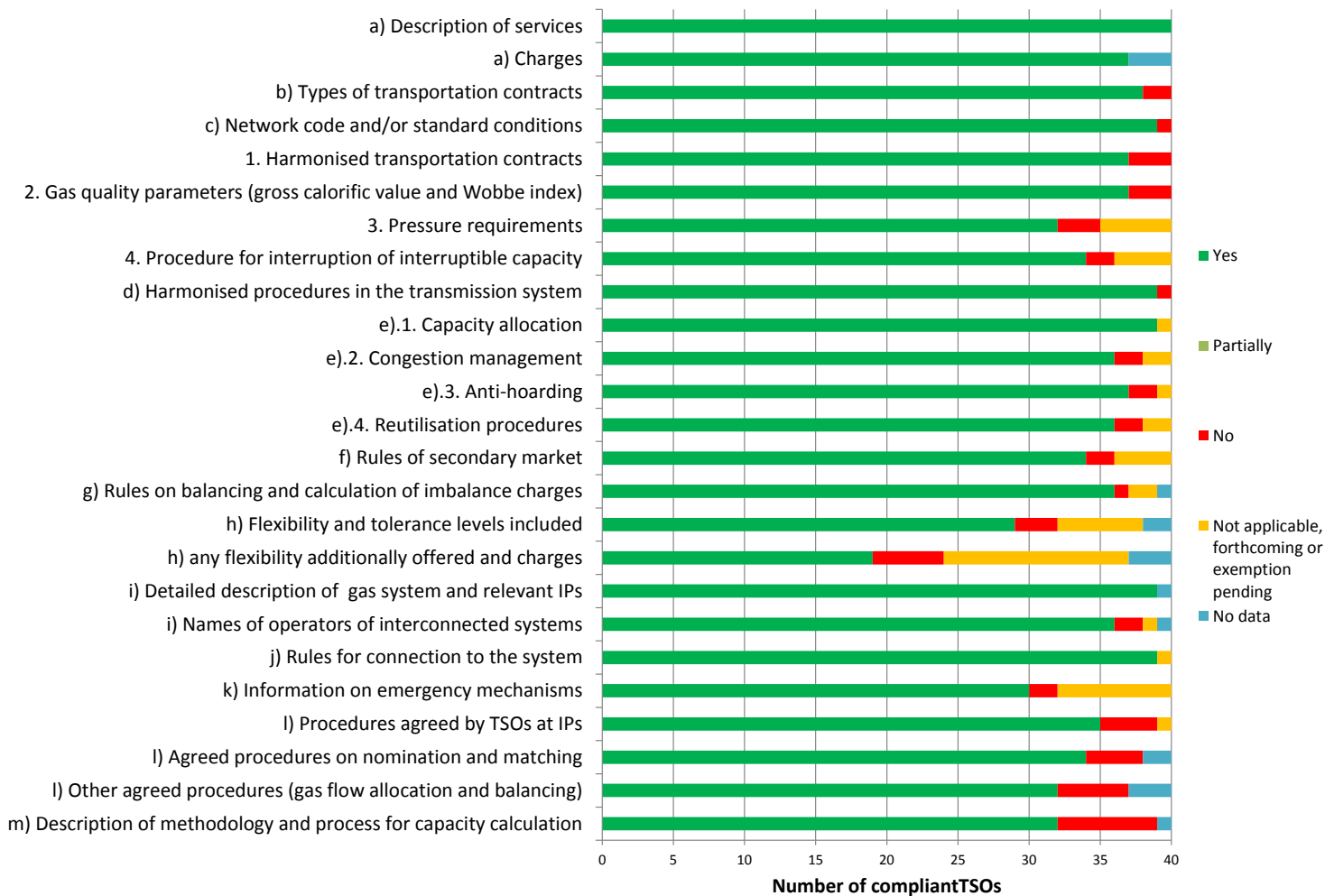
Section 3.1.1 - Form of publication



Note:

Answers where “no” does not imply non-compliance are not considered (e.g. information published by third party)

Section 3.1.2 - Content of publication



Note:

Answers where "no" does not imply non-compliance are not considered (e.g. information published by third party)

Section 3.3 - Information at all relevant points



Section 3.4 - Information regarding the transmission system

