

Results of monitoring access rules to storages and action plan for monitoring transparency requirements

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22nd Madrid Forum, 2 October 2012, Madrid

Part A

Results of monitoring of Article 33 Gas Directive (Access rules to storages)

Background and goal of the project

- Report should serve the European Commission (compliance check) and Member States (compare approaches in different countries)

Background to the project

- In most countries, storage is considered a very important flexibility tool for network users
- As of 3 March 2011, new rules regarding access to storage have been introduced
- Given its importance, access to storage needs to be well organised

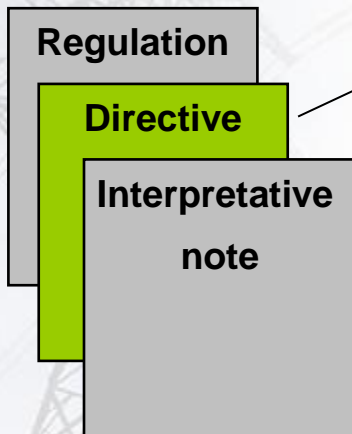
Goals of the project

Monitor the status of the implementation of Article 33

Identify criteria used in Europe to determine access regime

Legal framework regarding access to storage

- Article 33 (Gas Directive) explains how to determine necessity TPA (and applicable access regime)



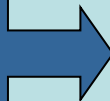
- Determine whether there is a need to offer third party access at all
- Member States chose – if TPA is needed – regulated and/ or negotiated access regime
- NRA or Member States define and publish criteria by which access regime is chosen

} Not in scope of project

State of play implementation Article 33

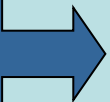
- In most countries the obligation to define and publish criteria is now implemented in national law

Task to define criteria



- Member States are usually designated to define criteria to be used to choose the third party access regime

Publishing the criteria



- In most cases, the criteria are usually published in the national law itself or through a Ministerial Decree

Process for determining access regime

- In practice, the access regime is not always chosen by the rules

Important observations

- Access regimes already chosen
- Usually defined in national law
- Not always based upon criteria...
- However, logical reasoning applied

Reasons applied

Choice for rTPA:

- Storage plays essential role in SoS
- (Structural) congestion in storages

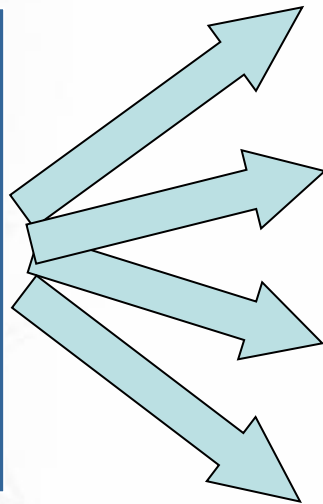
Choice for nTPA:

- Contributes to investment climate
- Existence of active competition

Existing criteria to determine access regime

- In most countries that have already defined and published criteria, the chosen access regime is applicable for all storages

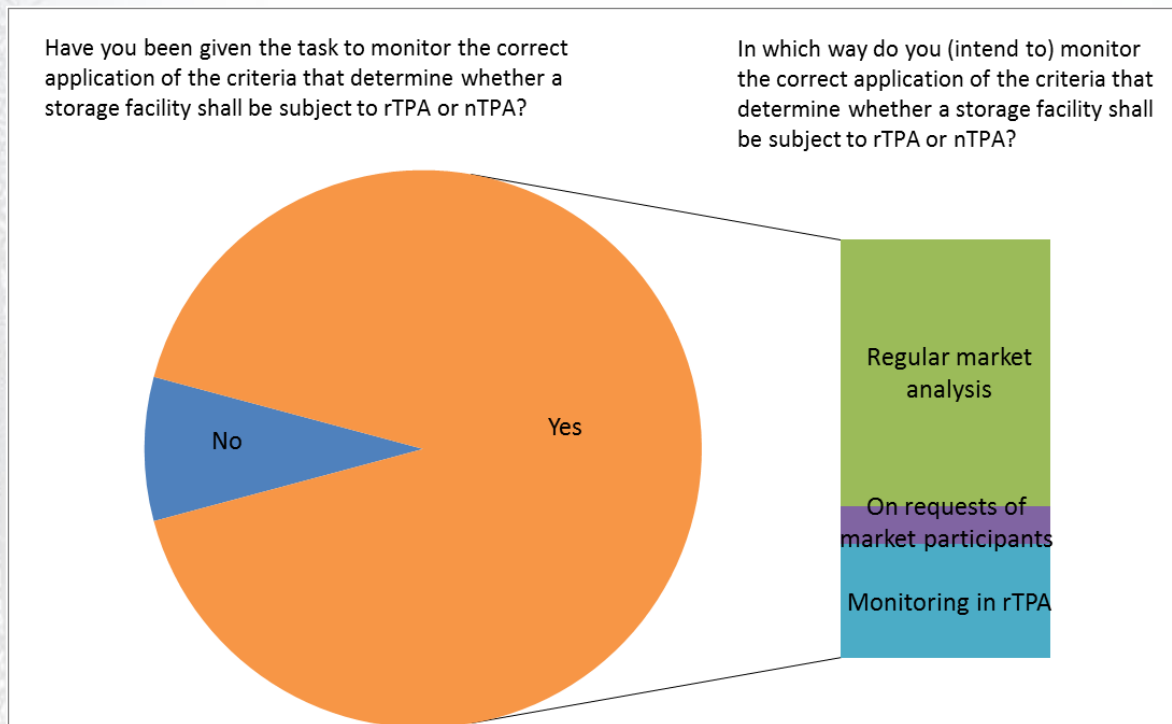
Identified
criteria to
choose access
regime



- 1 Competition of storage with other sources of flexibility (is there access to substitutes)
- 2 Storage market conditions (storage prices, # of providers, market concentration etc.)
- 3 Role of storage in the gas market
- 4 Role of storage for Security of Supply in the gas market

Monitoring correct use of criteria by NRAs

- Most NRAs are designated the task to monitor whether the chosen access regime is still valid (but this task has only added value if criteria exist)

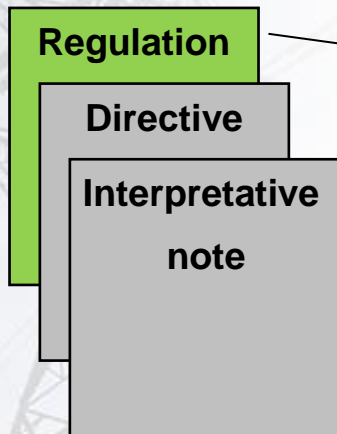


Part B

Action plan monitoring Article 19 Gas Regulation (Transparency requirements)

Legal framework regarding transparency

- **Article 19 (Gas Regulation) contains transparency requirements for SSOs**



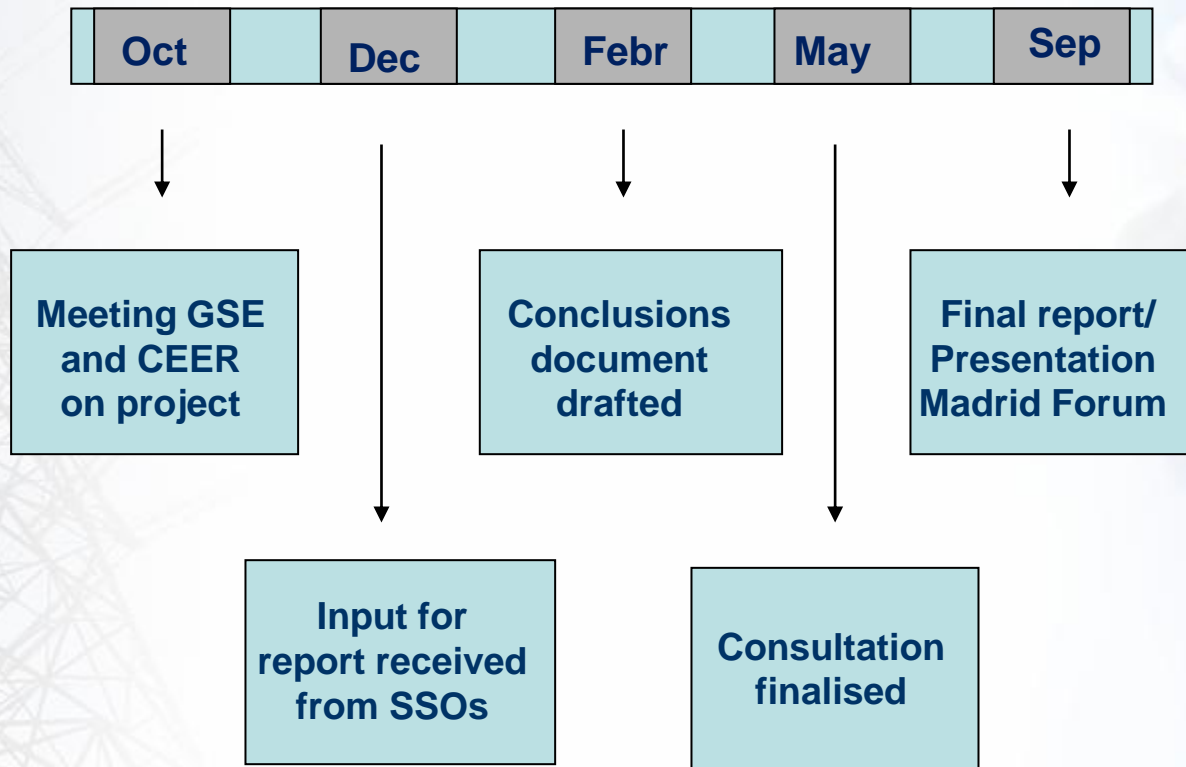
- Publish detailed information and relevant conditions, including technical information for users to gain access
- Publish information on contracted & available storage capacities (on numerical basis, user-friendly etc.)
- Disclose information in meaningful, quantifiable, easily accessible way and on a non-discriminatory basis

Goal of the project

- CEER will monitor how transparency requirements are implemented

1. Gain understanding how requirements are implemented by SSOs
2. Gain understanding how stakeholders value level of transparency
3. Draft recommendations how transparency could be further improved
4. Stimulate SSOs to “pick up the ball” – if necessary – on transparency

Proposed marching route and timeline



The background of the slide is a light blue gradient with a faint, semi-transparent image of a high-voltage electricity pylon on the left and a gas burner with blue flames on the right.

Thank you for your attention!

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