ERGEG Gas Focus Group/Storage TF

Guidelines for Good Practice for Gas Storage System Operators (GGPSSO)

Questionnaire for SSOs

8 February 2006

Introduction

On 15 September 2005, during the 10th Madrid Forum, ERGEG presented the preliminary results of its first monitoring exercise on the implementation of the GGPSSO. The Forum asked ERGEG to produce a follow-up report for the 11th Madrid Forum, to be held in May 2006. On 7 December 2005, ERGEG published the final results of its report on "Monitoring the implementation of the GGPSSO". In parallel, ERGEG proposed to undertake a second monitoring exercise assessing the effectiveness of the GGPSSO, and the functioning of the market for storage services.

The objective of this questionnaire is to collect information from SSOs to assist in monitoring the implementation of the GGPSSO as requested by the European Commission.

The deadline for the completion of the questionnaire is **8 March 2006**.

In order to ensure that all interested parties are consulted, ERGEG members will be required to prepare a contribution to be included in the report. Storage users will be consulted from May 2006, to gather their feedback on the implementation of the GGPSSO requirements after 1 April 2006. Their views will be particularly important in assessing implementation of the GGPSSO.

ERGEG intends to publish an initial report on the implementation of the GGPSSO in May 2006 and it expects to present its findings at the next Madrid Forum. ERGEG will issue a final report on implementation after it has an opportunity to consider responses to its initial report.

To help ensure transparency, responses to the questionnaire and other documents associated with the GGPSSO will be published on the ERGEG website. Any requests to keep information confidential will be considered in accordance with the relevant section of the GGPSSO that deals with the publication of the information. If you want any information to be treated as confidential this should be objectively justified and outlined clearly – taking into account the requirements of the GGPSSO. Any information that is to be treated as confidential should be placed in a separate appendix.

Please note that in order to allow for maximum common understanding of data, the answers provided by SSOs will be reviewed by the national regulatory authority.

Given that ERGEG's initial report will be published in May, SSOs may provide an addendum to their original submission if there are any significant changes to the information that they provide, between 8 March and 5 April. This will ensure that the report is as up to date as possible and avoid misrepresenting the position of the SSOs, taking into account that the deadline for implementing some of the GGPSSO requirements is 1 April 2006.

[Please insert name, authority, phone number, email address]

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Questionnaire

1 General

1.1 Business name of respondent: swb Netze GmbH & Co. KG

2 Roles and responsibilities of Storage System Operators

2.1 Has the standard storage contract/storage code been developed in proper consultation with users (e.g. bilateral contacts, open consultation process, with some sort of public announcement, consultation process supervised by relevant national regulatory authority or other)? Please specify when users were last consulted (relating to GGPSSO 1.2.b):

open consultation process with some sort of public announcement (e. g. on company website, by press, at a conference)

3 Necessary TPA services

3.1 If the figure for "available capacity" for your storage facility[1] is "0", please specify until when (relating to GGPSSO 3.1):

"available capacity" is "0" until 30.09.2009

3.2 There may be some available capacity now (date of reference 8 March 2006). However, all the capacity may have been booked in advance, which means that sometimes in the future, there will be no capacity available. If this is the case, please specify when and for how long (relating to GGPSSO 3.1):

contracted or held capacity: 75 Mio. Nm^3 until 30.09.2009

3.3 Please provide the link to your web pages presenting the commercial terms that you apply and in particular services offered (both the Directive[2] and the GGPSSO 6.4.a&b provide that this information is to be published). If you wish to be more specific, please use the space below (relating to GGPSSO 3.3):

netze@swb-gruppe.de

[1] Storage facility means a facility used for the stocking of natural gas and owned and/or operated by a natural gas undertaking, including the part of LNG facilities used for storage but excluding the portion used for production operations, and excluding facilities reserved exclusively for transmission system operators in carrying out their functions (Article 2.9 of Directive 2003/55/EC).

[2] Article 19.3 of Directive 2003/55/EC of 26 June 2003 concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC

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3.4 Do you offer the following services on the primary market (GGPSSO 3.3, 3.5, 3.7):

	yes	*no*
(a) bundled services (SBU) of space and injectability/deliverability	☒	☐
(b) unbundled services supplementing SBUs at least for available storage capacity at the beginning of the storage year[3]	☐	☒
(c) long-term (>1 year) services	☐	☒
(d) short-term (<1 year) services[4]	☐	☒
(e) interruptible services[5]	☐	☒
(f) a service which includes an obligation for the SSO to allocate the gas which has been nominated	☐	☒
(g) injection and withdrawal are possible at any time	☐	☒

3.5 If any of these services (please specify) has not been introduced, please explain why:

Da die Nutzungsrechte an den verfügbaren Speicherkapazitäten bis zum 30.09.2009 vertraglich gebunden sind, können derzeit keine weiteren Speicherleistungen angeboten werden.

3.6 Please specify if services offered have been developed with consultation of storage users to take into account market demand. When were users last consulted (relating to GGPSSO 3.4.a):

open consultation process with some sort of public announcement (e. g. on company website, by press, at a conference). Last consultation: Year 2000

4 Storage capacity allocation and congestion management

4.1 Please provide a description of the capacity allocation mechanism that you apply. Please specify if there is an order of priority and for which customers (relating to GGPSSO 4.1):

first committed - first served

4.2 In case of contractual congestion, what kind of solution do you apply or plan to apply (GGPSSO 4.2)?

not possible

4.3 In case of physical congestion, what kind of solution do you apply or plan to apply (GGPSSO 4.2)?

congestion management by SSO

4.4 In case of congestion, is there a system to balance the portion of storage capacity contracted under long-term contracts and short term contracts? Please specify the nature of these arrangements (GGPSSO 4.2.c):

there is only one user

[3] You may provide an addendum before 5 April 2006.

[4] You may provide an addendum before 5 April 2006.

[5] You may provide an addendum before 5 April 2006.

5 Confidentiality requirements

5.1 Are the following items explicitly mentioned in the code of conduct/compliance programme (relating to GGPSSO 5.1.b):

	yes	*no*
(a) prohibition on SSO staff passing commercially sensitive information to other parts of any affiliate of the company in advance of being provided to all market participants	☒	☐
(b) databases related to storage operations kept separate	☒	☐
(c) new IT systems for the storage business developed separately	☐	☒

5.2 Please specify if there are other important items in the code of conduct/compliance programme:

./..

5.3 Is the code of conduct/compliance programme published? If yes, provide a copy / internet link:

	yes	*no*
	☐	☒
Internet link:		

5.4 Is there a compliance officer supervising that the compliance programme is effectively implemented (GGPSSO 5.1.b)?

	yes	*no*
	☒	☐

5.5 If other arrangements are in place to protect the confidentiality of information, please provide details below (relating to GGPSSO 5.1):

6 Transparency requirements

6.1 Please provide the link to the webpages presenting the information required by the GGPSSO in the transparency requirements (relating to GGPSSO 6.1):

http://www.swb-gruppe.de/unternehmen/ene_erdgasspeicher.php

6.2 Please specify how the historical utilization rate is calculated (relating to GGPSSO 6.5.b):

The historical utiliozation rate is not calculated

6.3 If you have not published information as required by the GGPSSO about the aggregate use of storage, did you notify the relevant national regulatory authority (GGPSSO 6.3)?

	yes	*no*
	☒	☐

6.4 Please specify how many users – if any – requested, via a correspondence, that you do not publish information about the aggregate use of storage (period of reference: 15 March 2006 – 15 March 2007) (relating to GGPSSO 6.2)?

We had no questions about the aggregate use of storage.

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7 Secondary markets

7.1 How many system users trade capacity rights on the secondary market (period of reference: 15 March 2005 – 8 March 2006[6])?

the user is not trading in the secondary market

7.2 Please indicate if you:

	yes	*no*
(a) allow for title transfer for both bundled and unbundled capacities (GGPSSO 9.1)	☐	☒
(b) allow the new owner to aggregate such storage capacity operationally (GGPSSO 9.1)	☐	☒

7.3 Are registered users allowed to trade gas-in-store?

	yes	*no*
	☐	☒

7.4 Please provide a description of rules applicable for storage capacity trade on the secondary market vis-à-vis the SSO (GGPSSO 9.1):

./..

7.5 Please provide a copy of the clauses in the storage code/contract referring to or addressing secondary storage capacity trading explicitly (relating to GGPSSO 9.1):

./..

[6] You may provide an addendum before 5 April 2006.

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Appendix

Definitions

Available storage capacity means the part of the technical storage capacity that is not contracted or held by storage users at that moment and still available to the storage users for firm and interruptible services, and is not excluded from TPA under Article 2(9) of the Gas Directive (Definition 1 of the GGPSSO)

Storage capacity is space (expressed in normal cubic meters or energy), injectability and deliverability (expressed in normal cubic meters or energy per time unit). All of them can be firm or interruptible (Definition 17 of the GGPSSO)

Storage facility means a facility used for the stocking of natural gas and owned and/or operated by a natural gas undertaking, including the part of LNG facilities used for storage but excluding the portion used for production operations, and excluding facilities reserved exclusively for transmission system operators in carrying out their functions (Definition 18 of the GGPSSO)

Technical storage capacity is the maximum storage capacity (injectability, deliverability and space) that the SSO can offer to storage users, excluding storage capacity for SSOs operational needs