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Mrs. Una Shortall  
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### **Consultation on Guidelines for Good Practice on Regulatory Accounts Unbundling**

Dear Mrs. Shortall,

Thank you for the opportunity to respond to the public consultation on Guidelines for Good Practice on Regulatory Accounts Unbundling. We are responding as ExxonMobil International Limited on behalf of our respective affiliates that operate within the European Gas Market.

We fully support ERGEG's objectives to ensure non-discriminatory effective competition and network access. However, we would caution against developing excessive regulatory or bureaucratic regimes. In this regard we are concerned that the guidelines appear to prepare the ground for further unbundling regulations while the existing directives are still in the process of being implemented.

We would agree that additional guidelines may be a useful tool to support the implementation of the European Gas Directive 2003/55/EC, at the same time we would urge caution in any measure that might go beyond the scope of that Directive.

Art 17 of the Gas Directive 2003/55/EC and the member states laws that have been introduced based on the Gas Directive set clear and descriptive rules for unbundling of accounts. These include dedicated rules concerning annual accounts, internal accounting and transaction of a certain size conducted with related undertakings.

The same national laws set specific rules for the regulation of costs and/or tariffs. It is our experience in Europe that these regulations set the basis for the assessment of the reasonable prices for procured services, the fair allocation of costs for shared services, and the costs for infrastructure leases.

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We are concerned that the proposed Guidelines for Good Practice on Regulatory Accounts Unbundling appear to set specific and prescriptive rules that may overrule or conflict with the current national unbundling requirements and/or the cost/tariff regulations of the Gas Directive 2003/55/EC. From our worldwide experience we believe that regulations which are cast in general terms, rather than specific or prescriptive language are more conducive to promote the development of competition.

We hope that these comments prove useful in the development of Guidelines for Good Practice on Regulatory Accounts Unbundling and we would be happy to discuss our comments in more detail directly with you. If you have any questions please do not hesitate to contact myself or Gabriele Haas (+44 20 7412 2911) or email [Gabriele.Haas@exxonmobil.com](mailto:Gabriele.Haas@exxonmobil.com).

Yours sincerely,

David Maclean