



Agency for the Cooperation
of Energy Regulators

The Director

Ljubljana, 26 March 2013
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Mr. Jan Panek
Acting Director
Directorate B - Internal Energy
Market
European Commission, DG for
Energy
E-mail:
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By e-mail only

Dear Mr. Panek,

I acknowledge receipt of your letter of 15 March related to the “Framework Guidelines on rules regarding harmonised transmission tariff structures for gas”. Thank you for sharing with us, ahead of the meeting of the Board of Regulators last week, your concerns on the degree of harmonisation of the cost allocation methodologies used for the determination of the price for firm annual capacity products as envisaged in the current text of the Framework Guidelines. We also take note of your suggested amendments of the provisions on transparency, mitigating measures and definition.

The Board of Regulators, in its meeting on 20 March, considered your letter and the work on assessing how best to address your concerns in the Framework Guidelines has now been launched. The initial results of this work will be discussed in the next meeting of the Board of Regulators on 16 April and I will be in a position to provide a more substantive feedback after that.

Nonetheless, it is already clear that extending the Framework Guidelines to include appropriate provisions on cost allocation methodologies will require a further extension of the deadline for submitting the Framework Guidelines. At the moment, and until the discussion at the Board of Regulators’ meeting in April, I am not able to formulate a specific request for extension. Moreover, the inclusion of provisions on the harmonisation of cost allocation methodologies may well require that the Framework Guidelines are put again to public consultation. If this were the case, it would be unlikely that the extended Framework Guidelines were ready before October 2013.

Thank you for your attention. I will get back to you again after the next meeting of the Board of Regulators with a more substantive reply.

Yours sincerely,



Alberto Pototschnig

*cc: Inge Bernaerts, Head of Unit, DG Energy, European Commission
Lord Mogg, Chairman of the Board of Regulators of ACER
Walter Boltz, Vice-Chair of the Board of Regulators of ACER*