

ACER



Agency for the Cooperation
of Energy Regulators

Network Code on Interoperability & Data Exchange – ACER's preliminary comments

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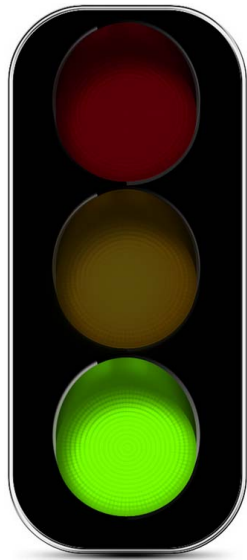
Process within the Agency

Ultimately, after 11 September 2013, ACER must provide:

- A reasoned opinion to ENTSOG, within 3 months (Art. 6(7) of the Gas Regulation);
- A recommendation for adoption to EC, once the Agency is satisfied that the network code is in line with the Framework Guideline (Art. 6(9) of the Gas Regulation).

At this early stage, ACER provides preliminary views to facilitate the process.

Preliminary views on the Network Code (1/3)



- Constructive dialog with ACER;
- The text show **high quality** despite the variety of technical topics covered;
- Ambitious solutions concerning:
 - Interconnection Agreement Transparency provisions (Art. 4)
 - Operational Balancing Accounts (Art. 10);
 - Units (Art. 15);
 - Data Exchange (Art. 27).

Early views on the Network Code (2/3)

- Possible misalignment on Short Term monitoring (Art. 29):



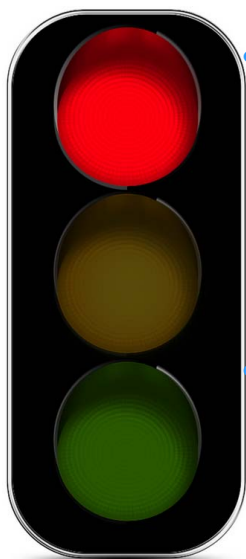
- While based on the FG, the NC should define situations, as well as the nature and frequency of the information, when ST monitoring is relevant. The current NC states that this definition shall take place at Member State level;
- The justification for the proportionality of the approach is based on a limited number of examples, that does not provide sufficient explanation.

The Agency believes that an active cooperation of stakeholders during the on-going public consultation is needed. Stakeholders are encouraged to provide feedback on this particular issue.

Early views on the Network Code (3/3)

- Other issues/misalignments:

- Interconnection Agreement's default rules not clear;
- Data Exchange (Art. 23) – the announced cost-benefit and legal analysis, shall be completed before the final preferred data exchange protocol and the final preferred data format is defined in the final version of the NC;
- Gas Quality Short-term monitoring – the NC should include an obligation rather than a “best endeavour” approach.



The Agency has concerns over the current approach on these topics and will be considering stakeholders' feedback to assess the extent to which the NC should be amended in order to reflect better the requirements of the FG.

Preliminary conclusions:

- There is a good level of compliance overall;
- There are few remaining concerns:
 - Gas Quality Short-term monitoring (Art. 29);
 - Interconnection Agreements (Art. 7);
 - Data Exchange (Art. 23).

Beyond these preliminary views, the Agency will continue the scrutiny of the NC in the light of stakeholders comments in the public consultation.

Thank you for your attention!



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