

## Commission requests Poland to stop violation of EU rules on internal gas market

***The European Commission has decided to send a request to Poland to stop the violations of the EU rules creating a Single Market for gas. The obligation imposed by Poland on gas importers to store a certain percentage of gas in Poland and the lack of access to the Yamal pipeline infringe the EU rules on the internal gas market. This also effectively forecloses the Polish gas market for EU gas suppliers endangering in turn security of supply of Poland. A properly functioning, well regulated, transparent and interconnected market, with market price signals is crucial for ensuring competition and security of supply. An efficient and fully functional EU Single Market in energy will give consumers a choice between different companies supplying gas at reasonable prices, and it will make the market accessible for all suppliers. Poland now has two months to respond to the requests, which take the form of 'reasoned opinions' under EU infringement procedures. In the absence of a satisfactory response, the Commission may refer Poland to the EU's Court of Justice.***

The obligation to store gas on the Polish territory discriminates EU companies importing gas to Poland and forces them to seek for ways to transport gas to these storage facilities. Since transmission capacities to and in Poland are not available and since the Yamal pipeline is not accessible for importers, the so called "territoriality clause" forecloses the market for EU gas suppliers endangering in turn security of supply of Poland.

The Commission is of the opinion that Poland should grant third party access to the Yamal pipeline and allow gas to flow in both directions by allowing the transport of gas from Germany to Poland. This is required by the Gas Directive and would serve the same purpose of storing gas, namely to secure supply of gas. Poland could also expand its gas pipeline interconnectors with the EU gas market. This would enable Poland to have access to the EU gas market and thus strengthen Polish security of supply in line with the internal energy market.

For the Commission, the best guarantee for ensuring security of supply is to have a competitive internal EU-energy market. But the market cannot become competitive as long as the EU internal energy market rules have not been fully and correctly implemented.

Poland has now two months to reply to the reasoned opinion. If the Commission's concerns are not met, the case might be referred to the European Court of Justice.