

Pursuant to Article 118(1) of the Gas Supply Act (Official Gazette of the Republic of Slovenia Nos 204/21 and 121/22) and in relation to Article 15 of the Act amending the Gas Supply Act (Official Gazette of the Republic of Slovenia No 121/22), the Energy Agency hereby issues the

## **Legal Act on the emergency plan for natural gas supply**

### **I. GENERAL PROVISIONS**

#### **Article 1 (Content of the Act)**

(1) This Act lays down the measures to address or reduce the impact of the crisis and the impact of gas supply disruptions and the procedures, roles and responsibilities of natural gas undertakings and customers at each stage of the gas crisis in the Republic of Slovenia for the implementation of Articles 10, 11 and 13 of Regulation (EU) 2017/1938 of the European Parliament and of the Council of 25 October 2017 concerning measures to safeguard the security of gas supply and repealing Regulation (EU) No 994/2010 (OJ L 280, 28. 10. 2017, p. 1), last amended by Regulation (EU) 2022/1032 of the European Parliament and of the Council of 29 June 2022 amending Regulations (EU) 2017/1938 and (EC) No 715/2009 with regard to gas storage (OJ L 173, 30. 6. 2022, p. 17), (hereinafter: Regulation (EU) 2017/1938) and how to implement Council Regulation (EU) 2022/1369 of 5 August 2022 on coordinated demand-reduction measures for gas (OJ L 206, 8. 8. 2022, p. 1), (hereinafter: Regulation (EU) 2022/1369).

(2) This Act also lays down the order of reduction or interruption of gas consumption for individual types of customers, depending on the purpose for which they consume gas in their customer appliances and the economic importance they have for the economy and supply chains in the Republic of Slovenia and abroad. This Act shall also specify the method of reducing consumption, if required at the level of the European Union (hereinafter: EU), and how to implement intergovernmental solidarity between EU Member States in the event of a gas emergency.

(3) Natural gas undertakings, heat distributors, electricity producers, and customers shall be obliged to implement the measures and restrictions imposed on them under this Act.

(4) The measures in this Act shall apply to customers supplied with gas from transmission or distribution systems.

(5) The content and manner of implementation of this Act is further described in the Emergency Plan, which is published by the competent authority on its website.

## Article 2 (Definitions)

The terms used in this Act shall have the same meaning as the terms defined in the Gas Supply Act (Zakon o oskrbi s plini, Uradni list Republike Slovenije, Nos 204/21 and 121/22; Official Gazette of the Republic of Slovenia, Nos 204/21 and 121/22, hereinafter: ZOP) and, in addition, the individual terms shall mean:

(1) 'heat distributor' means a district heating operator that uses gas to produce of heat and cannot switch to a substitute energy product. A heat distributor for district heating shall be considered a protected customer only for the volume of heat supplied to household customers and essential social services, excluding educational and public services;

(2) 'crisis' means a situation in which it is reasonably expected that a significant deterioration of the gas supply situation or a significant deterioration of the gas supply situation may occur;

(3) 'crisis group' means a consultative group, which convenes and operates at a time when the declaration of the crisis level is being discussed or when the emergency response is being reviewed or when any of the crisis levels are declared. The crisis group shall be composed of representatives of the competent authority, the ministry responsible for energy, the transmission system operator, and gas suppliers (hereinafter: supplier);

(4) 'intergovernmental agreement' on solidarity measures means a technical, legal, and financial arrangement in accordance with Article 13(10) of Regulation (EU) 2017/1938;

(5) 'gas as feedstock' means gas used as feedstock in the production of products in accordance with Article 2(4) of Regulation (EU) 2022/1369, and not as a fuel or converted to another fuel;

(6) 'subgroup of customers' means a group to which customers belong in terms of their economic importance and their impact on society;

(7) 'competent authority' means the competent authority to carry out its tasks in the context of ensuring security of gas supply in accordance with Article 116 of the ZOP;

(8) 'reference period' means the period as set out in Article 2(6) of Regulation (EU) 2022/1369;

(9) 'customer group' means a group to which customers are allocated by demand point according to the purpose for which they use gas in their appliances.

## Article 3

### **(Implementation of crisis management measures and activities)**

(1) By declaring the crisis level, the competent authority shall introduce measures that may affect consumers only to the minimum necessary to cope with the crisis or to ensure security of supply to protected customers. The competent authority shall also implement the measures necessary to achieve the reduction of gas consumption if required at the EU level. The competent authority, natural gas undertakings, and heat distributors shall implement the measures in a non-discriminatory and transparent manner.

(2) The competent authority shall coordinate the implementation of the actions and measures. On the basis of the reports received and any information obtained, the competent authority shall assess the evolution of the situation and, where necessary, adjust the way in which measures to address the crisis situation are implemented. In managing a crisis, the competent authority and the transmission system operator shall coordinate with the competent authorities and the transmission system operators in the risk groups in which the Republic of Slovenia participates.

(3) Measures at early warning and alert levels shall neither prevent the functioning of the gas market nor restrict system users' access to the system.

## **II GAS CRISIS**

### **1 General**

#### Article 4

### **(Crisis levels)**

The crisis levels declared by the competent authority are:

- the early warning level where the conditions set out in Article 11(1)(a) of Regulation (EU) 2017/1938 are met;
- alert level where the conditions set out in Article 11(1)(b) of Regulation (EU) 2017/1938 are met;
- the emergency level where the conditions set out in Article 11(1)(c) of Regulation (EU) 2017/1938 are met.

## **2 Procedures, roles and responsibilities at individual crisis levels**

### **Article 5 (Early warning)**

(1) The transmission system operator or supplier shall, without delay, inform the competent authority of the occurrence of circumstances that make it necessary to declare a level of crisis as referred to in the first indent of Article 4 of this Act. The notification must be sent by e-mail to the address of the person responsible for security of supply of the competent authority. An SMS message of the e-mail transmitted shall also be sent to that person when the e-mail is forwarded.

(2) On the basis of the communication or other information received, the competent authority shall assess whether an early warning level should be declared. To this end, the crisis group may be consulted.

(3) If the competent authority considers that the conditions for declaring an early warning rate are not met, it shall immediately inform the reporting person referred to in the first paragraph of this Article.

(4) The competent authority shall declare the start of the early warning level by publication on its website and shall immediately inform the members of the crisis group by e-mail. The competent authority shall also send an SMS message to the members of the crisis group when sending an e-mail message. The transmission system operator shall immediately inform all transmission system users of the declaration of the early warning level, and the competent authority shall inform the electricity TSO. The distribution system operator shall inform distribution system users of the declaration of the level of early warning and of the status of the distribution system, at least by publication on its website.

(5) To monitor developments, assess and resolve the situation, information shall be made available to the competent authority in a single information system set up, operated, and maintained by the transmission system operator pursuant to Article 80a of the GSU (hereinafter: SIS). The competent authority may require natural gas undertakings and customers to provide additional information in the prescribed format and within a time limit.

(6) During the period when the early warning level is declared, the measures referred to in Article 10 of this Act shall be implemented.

(7) When the conditions laid down in the first indent of Article 1 of this Act are no longer met, the competent authority shall declare the end of the early warning level by publishing it on its website and in the media and inform the crisis group accordingly. In doing so, it shall use the same means of notification as when declaring the start of the early warning level.

(8) If circumstances arise that lead to the fulfilment of the conditions set out in the second or third indent of this Act, the competent authority shall declare the alert level or emergency level in accordance with this Act.

## Article 6 (Alert level)

(1) The transmission system operator or the supplier shall immediately notify the competent authority of the occurrence of circumstances that make it necessary to declare a state of alert as referred to in the second indent of Article 4 of this Act. The notification shall be sent by e-mail to the address of the person responsible for security of supply of the competent authority. That person shall also be sent a text message when the e-mail is sent, indicating that the e-mail has been forwarded.

(2) On the basis of the communication or other information received, the competent authority shall assess whether the alert level should be declared. To this end, the crisis group may be consulted.

(3) If the competent authority considers that the conditions for declaring the alert state are not met, it shall immediately inform the notifier referred to in the first paragraph of this Article. If the competent authority considers that the conditions for declaring a different crisis level are met, it shall declare it in accordance with this Act.

(4) The competent authority shall declare the start of the alert level by publication on its website and shall immediately inform the members of the crisis group by e-mail. The competent authority shall also send an SMS message to the members of the crisis group when sending an e-mail message. The transmission system operator shall immediately inform all transmission system users of the declaration of the alert state, and the competent authority shall inform the electricity TSO. The distribution system operator shall inform distribution system users of the declaration of the alert level and of the status of the distribution system, at least by publication on its website.

(5) Information in the SIS shall be made available to the competent authority to monitor developments, assess and resolve the situation. The competent authority shall request natural gas undertakings and customers to provide it with additional information in the prescribed format and within a time limit.

(6) During the period when the alert level is declared, the measures referred to in Article 11 of this Act shall be implemented.

(7) When the conditions set out in the second indent of Article 6 of this Act are no longer met, the competent authority shall declare an end to the alert level by publication on its website and in the media and inform the crisis group accordingly. In doing so, it shall use the same means of notification as when declaring the start of the alert level.

(8) If a disruption of gas supply or exceptionally high gas demand which led to the declaration of alert level cannot be remedied by the measures referred to in Article 11 of this Act and circumstances arise which lead to the fulfilment of the conditions set out in the third indent of Article 4 of this Act, the competent authority shall declare the emergency level in accordance with this Act.

Article 7  
**(Emergency level)**

(1) The transmission system operator or a supplier shall immediately notify the competent authority of the occurrence of circumstances that make it necessary to declare the level of emergency referred to in the third indent of Article 4 of this Act. The notification must be sent by e-mail to the address of the person responsible for security of supply of the competent authority. An SMS message of the e-mail transmitted shall also be sent to that person when the e-mail is forwarded.

(2) On the basis of the communication or other information received, the competent authority shall assess whether an emergency level should be declared. To this end, the crisis group may be consulted.

(3) If the competent authority considers that the conditions for declaring the level of emergency are not met, it shall immediately inform the notifier referred to in the first paragraph of this Article. If the competent authority assesses that the conditions for declaring a lower crisis level are met, it shall declare it in accordance with this Act.

(4) The competent authority shall declare the emergency level by publication on its website and in the media. The competent authority shall immediately inform the members of the crisis group by e-mail. The transmission system operator shall immediately notify about the declaration of the emergency level to all transmission system users, and the competent authority shall inform the electricity TSO. The distribution system operator shall inform distribution system users of the declaration of the level of emergency and the state of the distribution system, at least by publication on its website.

(5) Information in the SIS shall be made available to the competent authority to monitor developments, assess and resolve the situation. The competent authority may require natural gas undertakings and customers to provide additional information in the prescribed format and within a time limit.

(6) During the period when the level of emergency is declared, the measures referred to in Articles 12 and 13 of this Act shall be implemented.

(7) When the conditions laid down in the third indent of this Act are no longer met, the competent authority shall declare an end to the emergency level by publication on its website and in the media and inform the crisis group accordingly. The competent authority may declare the level of emergency or amend the implementation of any of the measures referred to in Article 12 or 13 of this Act if it is requested to do so by the European Commission on the basis of Article 11(8) of Regulation (EU) 2017/1938.

(8) During the level of emergency, the transmission system operator shall monitor the potential threat to critical infrastructure and assess the need for additional safeguards protect critical infrastructure.

Article 8  
**(State of alert at the EU level)**

(1) If the Council of the EU declares an EU alert level, the competent authority shall immediately inform the members of the crisis group by e-mail and publish a notice on its website. The transmission system operator shall immediately notify all transmission system users, and the competent authority shall inform the electricity system operator of the declaration of an EU-level alert. The distribution system operator shall inform distribution system users of the declaration of an EU alert level at least by publication on its website.

(2) The competent authority shall have access to the information in the SIS for monitoring developments, assessing, and dealing with the situation. The competent authority may require natural gas undertakings and customers to provide additional information in the prescribed form and within a time limit.

(3) During the period when an EU alert level is declared, the measures referred to in Articles 14 and 15, respectively of this Act shall be implemented.

(4) When the Council of the EU declares the termination of the EU-level alert, the competent authority shall immediately inform the members of the crisis group by e-mail and publish a notice on its website, and the transmission system operator shall inform all transmission system users thereof. The distribution system operator shall inform the distribution system users of the declaration of the end of the EU-wide alert, at least by publication on its website.

(5) If an EU alert level is declared, the voluntary and involuntary measures referred to in Articles 14 and 15 of this Act shall be implemented until the end of the EU alert level is declared, regardless of whether any crisis level has been declared at the level of the Republic of Slovenia. The measures referred to in Articles 14 and 15 of this Act shall be implemented in priority to other measures under this Act unless a level of emergency has been declared in the Republic of Slovenia under this Act, when the measures referred to in Articles 12 and 13 of this Act are implemented and achieve a significant reduction in consumption for a particular group of customers.

Article 9  
**(State of emergency at the regional or EU level)**

(1) If the European Commission declares the start or end of a regional or EU emergency, the competent authority shall publish a notice on its website.

(2) When a regional or EU emergency level is declared, the competent authority shall cooperate with the competent authorities of other EU Member States and with the European Commission in accordance with Article 12 of Regulation (EU) 2017/1938.

### **3 Measures at individual crisis level**

#### **Article 10 (Early warning)**

(1) When an early warning level is declared, suppliers shall implement the following measures:

- suppliers shall check the actual availability of the quantities of gas needed to supply all customers and, in particular, customers subject to compliance with the supply standard in accordance with the Legal Act on preventive action plan for the natural gas supply. If they find that the available quantities of gas are insufficient to supply the protected customers during the period from the declaration of this level of crisis until the end of March of the following year, they shall inform the competent authority with an entry in the SIS;

- suppliers shall inform customers with whom they have interruptible gas supply contracts that there is a likelihood of interruption of supply following the possible declaration of a higher crisis level. Suppliers shall enter in the SIS information on which non-household customers and for which customer points they have interruptible gas supply contracts and for what quantities;

- suppliers shall inform consumers that there is a likelihood of a need to switch to the use of alternative energy products following any declaration of a higher crisis level. The notification shall specify that this applies to those customers who have the possibility to use alternative energy products; and

- suppliers shall urge consumers to use gas more rationally and consumers shall use gas rationally to the best of their ability.

(2) Suppliers shall implement the measures referred to in the preceding paragraph from the start of the early warning level to the declaration of the end of that crisis level. Suppliers may also send the notifications and appeals referred to in the preceding paragraph to customers who are not natural persons by SMS and e-mail.

(3) Suppliers shall inform the competent authority and the system operators of the measures taken by e-mail or any other means determined by the competent authority and communicated to the crisis group. The competent authority shall communicate the frequency of notification. If the situation changes, the changes shall be reported on the same day.

#### **Article 11 (Alert level)**

(1) When a level of alert is declared, suppliers and producers of electricity using gas for its production shall, in addition to the measures referred to in the preceding Article, take the following measures:

(a) suppliers shall make all necessary preparations to ensure, in the event of a declaration of a higher level of crisis and in accordance with the needs of the situation, that the quantities of gas necessary to meet the standard of supply are available in accordance with the Legal Act on preventive action plan for the natural gas supply;

(b) suppliers that have interruptible gas supply contracts in place and gas supply under those contracts is still ongoing shall, in accordance with the needs of the situation, call on customers to voluntarily terminate the supply of gas. Suppliers shall inform the operators of the systems to which these customers are connected of the customers with whom they have interruptible gas supply contracts and for what quantities;

(c) suppliers shall, in accordance with the needs of the situation, invite consumers with consumption above 800.000 kWh/year per demand point to voluntarily reduce their gas consumption to a minimum. Suppliers shall also invite all other customers who use gas rationally within their means to reduce their gas consumption voluntarily;

(d) suppliers shall, in accordance with the needs of the situation, invite customers to switch voluntarily to the use of alternative energy products if they can do so;

(e) suppliers shall inform heat distributors that, in the event of a declaration of a higher level of crisis, a reduction of gas consumption to the quantities necessary for the production of heat may be required to the extent that heat distributors are protected customers;

(f) electricity producers using gas for generation voluntarily switch to another energy source or voluntarily reduce their consumption of gas for electricity generation.

(2) The measure referred to in point (f) of the preceding paragraph shall not apply to producers of electricity in cogeneration with heat to the extent that they supply heat for district heating to household customers and basic social services other than educational or public services.

(3) Electricity suppliers and producers shall implement the measures referred to in paragraph 1 of this Article from the declaration of the start of the alert level until the declaration of the end of that crisis level. Suppliers may also send the notifications and invitations referred to in paragraph 1 of this Article to customers other than natural persons by SMS and e-mail.

(4) The suppliers and producers of electricity referred to in paragraph 1 of this Article shall report to the competent authority and to the operators of the systems to whose systems the customers to whom they supply gas are connected, the consequences of the measures taken on a daily basis by e-mail or by any other means determined by the competent authority and communicated to the crisis team.

(5) The transmission system operator shall determine the daily quantities of gas required to supply all customers connected to the transmission system, including, particularly the quantities of gas to supply protected customers. Distribution

system operators shall determine the daily quantities of gas required to supply all customers connected to their distribution systems, including, in particular, the quantities of gas required to supply protected customers. System operators shall communicate this information on a daily basis to the competent authority upon request by the competent authority, and distribution system operators shall also communicate it to the transmission system operator. The transmission system operator shall report daily to the competent authority and the distribution system operators on the state of the transmission system following the measures referred to in paragraphs 1 and 2 of this Article. Distribution system operators shall, at the request of the competent authority, report to the competent authority and to suppliers on the state of their systems after the measures have been implemented. The frequency and manner of reporting referred to in the preceding sentence shall be communicated by the competent authority. If the situation changes, the changes shall be reported on the same day.

(6) When the transmission system operator assesses that the gas supply situation has improved and the conditions referred to in the second indent of the first paragraph of Article 4 of this Act are no longer met, it shall inform the competent authority.

## Article 12 **(Emergency level)**

(1) When a state of emergency is declared, gas undertakings, heat distributors, and electricity producers using gas for their production shall, in addition to the measures referred to in the preceding Article, take the following measures:

- a supplier importing gas into the Republic of Slovenia intended for supply to protected customers shall apply measures and arrangements for the dispersion of gas sources and transmission routes in accordance with the Legal Act on preventive action plan for the natural gas supply;
- upon the declaration of the start of the emergency level, the supplier shall depending on the situation, start to apply these measures and to ensure gas supplies from other sources or storage facilities and also through other, still operational, transmission routes to the Republic of Slovenia;
- system operators shall interrupt the transmission or distribution of gas to customers with interruptible supply contracts. Suppliers shall notify the system operators to which customers the transmission or distribution of gas is interrupted on the basis of an interruptible supply contract and under what conditions;
- heat consumers and distributors that have the technical capacity to use alternative energy sources shall switch to alternative energy sources;
- electricity producers using gas for their electricity production and having the appropriate technical possibilities in place shall switch their electricity production to non-gas sources;
- suppliers shall encourage heat distributors, and consumers to use gas rationally and to reduce their consumption of gas for heating purposes, and consumers shall use gas rationally to the best of their ability.

(2) Gas undertakings, consumers and electricity producers shall implement the measures referred to in the preceding paragraph from the declaration of the beginning of the emergency level until the declaration of the end of that crisis level.

(3) The suppliers, producers of electricity, and distributors of heat referred to in paragraph 1 of this Article shall report to the competent authority and the system operators on the consequences of the measures implemented daily by e-mail or by any other means determined by the competent authority and communicated to the crisis group.

(4) The transmission system operator shall estimate the daily gas quantities required for three days in advance to supply all customers. The transmission system operator shall communicate the information referred to in the preceding sentence to the competent authority and the crisis group.

(5) The transmission system operator shall report to the competent authority on a daily basis on the situation in the transmission system after the measures referred to in paragraph 1 of this Article have been implemented. Distribution system operators shall enter in the SIS the data on the implemented measures of reduction and interruption of consumption by consumption points. At the competent authority's request, distribution system operators shall report to the competent authority and to suppliers on the state of their systems after the measures have been implemented. The frequency and manner of reporting referred to in the preceding sentence shall be communicated by the competent authority, which may also specify the form for reporting under this Article. If the situation changes, the changes shall be reported on the same day.

(6) When the transmission system operator assesses that the gas supply situation has improved and the conditions referred to in the third indent of the first paragraph of Article 4 of this Act are no longer met, it shall inform the competent authority.

### Article 13

#### **(Reduction or termination of consumption at emergency level)**

(1) If the measures referred to in the preceding Article are not sufficient to ensure a sufficient quantity of gas in relation to the total expected consumption, system operators shall, on the basis of a general decision issued by the competent authority to implement measures at the emergency level, reduce or terminate the consumption of gas at the customers off-take points according to the individual groups and subgroups set out in this Article. A customer's point of supply shall be classified into one or more groups and subgroups according to the purpose for which the majority of the gas is consumed at that point of supply and according to the economic importance determined by the customer's activity.

If a customer point is classified in more than one group, its classification in that group shall apply only to the extent that the annual consumption in that group is the same as the total consumption at that consumption point in the preceding year. The reduction or interruption of gas consumption shall be carried out at the following points of consumption in the following order:

- a) consumption points of customers, other than protected customers, using gas as an energy source for the production of heat for heating, where alternative fuel is available;
- b) consumption points of customers other than protected customers using gas to generate electricity, where alternative fuel is available;
- c) consumption points of customers, other than protected customers, that use gas to produce technology pairs for activities not falling under the subgroup referred to in points 1 and 2 of the second paragraph of this Article;
- d) consumption points of customers, other than protected customers, where the use of gas in technological processes leads to higher energy efficiency without significantly affecting the quality of the product;
- e) consumption points of customers, other than protected customers, where the use of gas in technological processes has a direct impact on the quality of the product (the direct transfer of flame heat to the subject of production, reduction, and transition to a replacement fuel leads to a change in the quality of the product or production);
- f) consumption points of customers that are not protected customers and not included in the subcategories referred to in points 1, 2, 3, 4, 5, or 6 of the second paragraph of this Article and use gas as raw material or as a fuel and for which the failure of the gas supply leads to a reduction or cessation of production;
- g) consumption points of customers, other than protected customers, who use gas to produce electricity and where the failure of the gas supply leads to the cessation of electricity production unless the reason referred to in the third paragraph of this Article applies;
- h) consumption points of customers that are not protected customers and are not included in the subcategories referred to in points 1, 2, 3, 4, 5, or 6 of the second paragraph of this Article, where, for technological reasons, it is not possible to use a substitute fuel, and the interruption of supply would cause significant damage to the customer's technological facilities and equipment;
- i) consumption points of small business customers and customers providing service activities in accordance with the Decree on the Standard Classification of Activities (UL RS Nos 69/07 and 17/08) G45, G46, G47, I55, I56, J58, J59, K64, K65, K66, L68, M69.200, M71, M72, M73, M74, N77, N78, N79, N80, N81, N82, P85.5, R90, R91, R92, R93, S94, S95, S96, except to the extent necessary for the operation of critical infrastructure, are not protected customers, are not classified in groups a) to h) referred to in this paragraph, nor are they classified in the sub-categories referred to in points 1, 2, 3 or 4 of the second paragraph of this Article;
- j) consumption points of the remaining customers classified in the subgroup referred to in point 5 or 6 of the second paragraph of this Article, except protected customers;
- k) consumption points of the remaining customers classified in the subgroup referred to in points 3 or 4 of the second paragraph of this Article, except protected customers;
- l) consumption points of the remaining customers classified in the subgroup referred to in point 2 of the second paragraph of this Article, except protected customers;
- m) consumption points of the remaining customers classified in the subgroup referred to in point 1 of the second paragraph of this Article, except protected customers;

n) consumption points of the remaining customers, excluding protected gas customers and customers that consume gas as an energy source for the production of heat for heating, where they cannot switch to a substitute fuel. Heat distributors shall reduce gas consumption to the level necessary to produce heat to the extent that heat distributors are protected customers. This group also includes the consumption points of consumers who produce electricity and heat for district heating in cogeneration, but the heat distributor is not a protected customer in this part.

(2) Consumption points of customers other than protected customers shall be classified in the following subgroups of customers, which shall take into account, in addition to the purpose for which gas is used, the economic importance of those customers for the functioning of the company:

1. customers whose products or services are necessary for the supply of food, water or electricity and whose activity is registered in accordance with the standard classification of activity: Section A01 except for group A01.7, Section B05, B06, B09, C10, C20, C23.130, D35, E36. This category also includes customers with activities mainly in food and basic goods and storage in a part that mainly includes food and essentials;
2. customers whose products or services are necessary for health and social care, veterinary science, manufacturing of pharmaceuticals, pharmaceutical services, and funeral services and whose activity is registered under the Standard Classification of Activities: C21, Q86, Q87, Q88, C26.6, C32.5, G46.46, G47.73, G47.74, S96.030. This group also includes customers who consume gas for the purposes of manufacturing, maintaining, disinfecting, and repairing medical devices and the material required for that purpose;
3. customers whose products or services are necessary to ensure the safety of the country or to prevent direct serious environmental pollution, e.g. those whose main activity is registered under the Standard Classification of Activities for Sections E37, E38, and E39;
4. customers whose products or services are essential for the defence and protection of the State;
5. customers whose products have a significant impact on the functioning of supply chains in the Republic of Slovenia and other EU Member States and are of vital importance to society; and
6. customers whose products significantly contribute to the potential to reduce energy consumption and substitute products in the EU.

(3) The classification in the group and subgroup referred to in the first and preceding paragraphs shall be demonstrated by the fact that their demand points and their classifications are registered in the SIS referred to in Article 80a of the ZOP.

(4) If due to unusual weather, hydrological or temperature conditions, production in non-gas power plants is limited, and the system operator of electricity deems it essential for the smooth operation of the electricity system to operate power plants that use gas for electricity generation and cannot switch to another energy source, or there is an insufficient alternative fuel, the system operator of electricity shall notify this by e-mail to the competent authority and the transmission system

operator and propose which facilities should be operated and at what power level. The transmission system operator shall assess the amount of gas required for the operation of these power plants and report its assessment to the competent authority. On the basis of a proposal and an assessment by the operators, the competent authority shall exempt that power plant from the restrictions for as long as the conditions referred to in the first sentence continue to apply. In its decision, the competent authority shall ensure that this does not reduce the available gas volumes below what is necessary to supply protected customers.

(5) The transmission system operator shall assess the extent of day-ahead demand reduction required on the basis of the system's state, current and projected consumption, projected gas supplies, the feasibility of measures, and other factors affecting the situation in the system. The transmission system operator shall inform the competent authority, and the crisis group of the assessment referred to in the previous sentence.

(6) The system operator shall initiate the action to reduce or interrupt the gas consumption of customers referred to in point (a) of the first paragraph of this Article. If this measure is not sufficient, the system operator shall continue the process of interrupting gas consumption in the order set out in points b) to n) of the first paragraph of this Article.

(7) If the measures referred to in the first paragraph of this Article are not sufficient to continue to supply protected customers, Articles 22 and 23 of this Act shall apply. If solidarity gas cannot be used to supply the protected customers either, the measures provided for in this paragraph shall be implemented. System operators shall reduce or terminate gas supply to the following customers:

- consumption points of heat distributors using gas as an energy source for heat production;
- consumption points of protected customers other than household customers, and
- consumption points of household customers.

(8) The system operator shall keep the competent authority informed by electronic means of the implementation of the measures referred to in this Article. System operators shall also inform the customers concerned of the reduction or interruption of demand in accordance with this Article. At the request of the system operator, the customer shall inform the system operator when it has stopped its gas consumption. Upon request of the competent authority, the distribution system operator shall report to the competent authority on the situation in the system.

(9) The system operator shall implement the measures referred to in this Article for as long as the circumstances which made it necessary for the system operator to implement the measures continue to exist. Once the situation has improved, the system operator, after prior consultation with the competent authority, shall gradually cease the implementation of each measure in the reverse order as implemented, depending on the situation, and inform the competent authority.

(10) The transmission system operator shall facilitate the transmission of gas over the transmission system and the delivery at the border interconnection point of the quantities of gas it transports in accordance with the concluded transportation contracts, taking into account the necessary capacity to supply protected customers within the scope of the supply standard.

(11) Transmission and distribution system operators shall in the SIS provide and keep up-to-date a record of which group and subgroup under the first and second paragraphs of this Article each gas customer consumption point is placed.

#### Article 14 **(Voluntary reduction of consumption)**

(1) If a call for voluntary reduction of demand for natural gas is established at EU level, the competent authority shall assess the necessary reduction of gas consumption relative to gas consumption during the reference period.

(2) The competent authority shall publish on its website a call for consumers to use gas rationally and to voluntarily reduce gas consumption. It shall inform the crisis group and the stakeholders of the declaration of the crisis level of the call.

(3) The competent authority shall monitor and assess on a monthly basis whether the voluntary reduction in gas consumption is sufficient in relation to the targeted reduction in gas consumption. The estimated monthly gas consumption reduction shall be published by the competent authority on its website. If the reduction in gas consumption falls short of the intended reduction in consumption, the competent authority shall invite all final customers to further reduce their gas consumption on a voluntary basis.

(4) The measures referred to in this Article shall apply for the period during which the call for voluntary reduction of gas consumption at the EU level applies. When it ceases to apply, the competent authority shall publish on its website a notice of the end of the call for voluntary demand reduction and shall inform the crisis group and the stakeholders informing them of the declaration of the end of the crisis level.

(5) The measures referred to in this Article shall not distort competition and shall not disturb the functioning of the market unduly or disproportionately, nor shall they jeopardise the security of gas supply in other EU Member States.

(6) The competent authority shall cooperate with other competent authorities and EU bodies to implement and coordinate of voluntary measures to reduce gas demand.

(7) The competent authority shall monitor the implementation of voluntary measures to reduce gas consumption in the Republic of Slovenia and report every two months, and no later than the 15th day of the following month, to the European Commission on the voluntary reduction in gas consumption achieved.

## Article 15

### **(Mandatory demand reduction of consumption at EU alert level)**

(1) After declaring the EU alert level, the competent authority shall assess the necessary reduction of gas consumption in relation to the gas consumption during the reference period.

(2) The competent authority shall require the rational use of gas from customers. It shall also require all customers other than those listed in the subcategory referred to in points 1 or 2 of Article 2(2) of this Act to reduce their gas consumption. It shall inform the crisis group and the stakeholders of the request.

(3) The competent authority shall monitor and assess every month whether the reduction in gas consumption achieved is sufficient in view of the necessary reduction in gas consumption. It shall publish the estimated monthly reduction in gas consumption on its website.

(4) If the competent authority finds that the estimated gas consumption reduction achieved is lower than required, it shall require an additional reduction in the gas consumption of all final customers. It shall inform the crisis group and the stakeholders of the request.

(5) The competent authority shall monitor the implementation of mandatory measures to reduce gas consumption in the Republic of Slovenia. As soon as it assesses that mandatory measures are no longer necessary to achieve the mandatory reduction of gas consumption and that the mandatory reduction of gas consumption can be achieved through voluntary measures, it shall withdraw the requirement of mandatory demand reduction and inform customers without delay. It shall also inform the crisis group and the stakeholders informed in the context of the announcement of the EU alert level.

(6) The measures referred to in this Article shall be in force and implemented during the period during which the declared EU alert level applies. When it ceases to apply, the competent authority shall publish on its website a notice of the end of the validity of the measures referred to in this Article and shall inform the crisis group and the stakeholders of the declaration of the end of the crisis level.

(7) The measures referred to in this Article shall not distort competition and shall not disturb the functioning of the market unduly or disproportionately, nor shall they jeopardise the security of gas supply in other EU Member States.

(8) Every two months, and no later than the 15th day of the following month, the competent authority shall report to the European Commission on the mandatory reduction in gas consumption achieved.

(9) The competent authority shall cooperate with other competent and EU authorities in the implementation, and coordination of actions, exchange of information and supervision of the implementation of the measures referred to in Articles 7 and 8 of Regulation (EU) 2022/1369.

## **4. Implementation and monitoring of the implemented measures**

### Article 16

#### **(Implementation and monitoring of the demand reduction or interruption of gas consumption)**

(1) During the period in which the measures referred to in Articles 12 and 13 of this Act are in force, the system operator shall notify the customers connected to its system of the reduction or interruption of consumption. In doing so, the system operator shall take into account the order in which the reduction or interruption of consumption is to take place in accordance with this Act, taking into account the time limit laid down in the general decision referred to in Article 13(1) of this Act. The notification to the customer referred to in this paragraph, specifying the necessary reduction in gas consumption and the time limit, may be individual or collective, the latter may be public, e.g., by publication in the media, and in any case, it also counts as a notice of termination of consumption.

If the notification referred to in the previous sentence is not public, the system operator shall keep the information in the SIS to inform the suppliers of these customers.

(2) After the notification referred to in the preceding paragraph, the system operator shall start checking the actual situation among customers, in particular by frequent meter readings. At the request of the system operator, the final customer shall immediately provide the metering reading in the format specified by the system operator. If the system operator finds that a customer has consumed gas in contravention of the measures provided for in this Act and has not complied with a call to reduce or interrupt consumption, the system operator shall physically limit or terminate the gas consumption of such customers (disconnection without prior notice). The system operator shall enter the data on disconnection in the SIS.

(3) Gas consumed by customers other than protected customers in contravention of the measures imposed under Articles 12 and 13 of this Act shall be considered to be an unjustified consumption of gas.

(4) The provisions of this Article shall also apply *mutatis mutandis* to the implementation and control of the measures referred to in Articles 14 and 15 of this Act.

## **5 Crisis management**

### Article 17

#### **(Competent authority)**

(1) The competent authority shall declare the beginning and end of the individual crisis levels on the basis of which the measures are implemented and shall, for the purposes of crisis management, act in accordance with this Act. Before declaring the beginning or end of each crisis level, the competent authority may consult the crisis group.

(2) During the period in which one of the crisis levels is declared, the competent authority shall, if necessary, adapt the manner of implementation for any of the measures provided for in this Act by instruction. In such a case, it shall forward the instruction to the natural gas undertaking carrying out the measure in question and shall inform the crisis group accordingly.

(3) During the period when a crisis level is declared, the competent authority shall exchange with the crisis group the necessary data, in particular on the state of the system and the supply situation. The members of the crisis group shall also report on the implementation of the measures put in place and the effects of the measures. The competent authority may also exchange information necessary for crisis communication with the crisis group and other national authorities.

(4) The competent authority shall cooperate with national authorities which have responsibilities under regulations governing critical infrastructure and government operations in crisis situations, in particular in the parts governing the response to crises or emergencies. In particular, the competent authority shall provide those authorities with information on the state of supply, any measures taken, and other related information.

(5) During the period when any crisis level is declared, the competent authority shall keep the public informed of the state of supply and possible measures. When communicating with the public, it shall also exchange information with the ministry responsible for energy in accordance with an agreed plan governing communication in the event of a gas crisis.

## Article 18 **(Operation of a crisis group)**

(1) The competent authority shall convene a crisis group with a view to consulting it on options for remedying or reducing the effects of a gas supply disruption, identifying the causes of each crisis level, and seeking solutions to address its causes. The crisis group also aims to communicate quickly and efficiently between stakeholders involved in crisis resolution.

(2) The crisis group shall be composed of the competent authority, the ministry responsible for energy, the transmission system operator, and all suppliers. The members of the crisis group shall appoint their representatives in the crisis group (persons responsible) and their alternates. The crisis group shall be led by a representative of the competent authority or, in its absence, by a representative of the transmission system operator. They shall communicate to the competent authority the names, e-mail addresses, and mobile telephone numbers of responsible persons and their deputies. Any change in the names and contact details of the members of the crisis group shall be immediately communicated in writing by the members of the crisis group to the competent authority.

(3) In addition to the members referred to in the preceding paragraph, distribution system operators and closed distribution systems shall form an extended crisis

group. Depending on the situation, the competent authority shall decide when a crisis group shall meet in an extended composition.

(4) The crisis group shall be convened by the competent authority by e-mail and SMS or, if members have not responded, by telephone call. The members of the crisis group shall be obliged to respond within two hours of the sending of the SMS. If the members of the crisis group do not respond within that time limit, the crisis group shall start working with members who responded.

(6) The competent authority with the members of the crisis group shall develop rules on the functioning of the crisis group, which shall also determine when the group meets in an extended composition. Each new member of the crisis group shall be required to familiarise himself with the rules of operation of the crisis group. The members of the crisis group shall ensure the confidentiality of information they receive during the crisis group's activities.

## **6 Emergency plans**

### **Article 19 (Emergency plans)**

(1) The transmission system operator and distribution system operators shall adopt an emergency plan which shall include:

- an indication of the circumstances in which the use of emergency measures is required, including a request by the competent authority in accordance with this Act;
- description, method of implementation, and extent of implementation of emergency measures to address or mitigate the consequences of a crisis or local gas supply disruption. Emergency measures must include those that may be taken by the competent authority under this Act and implemented by system operators and may include additional measures;
- the time needed to put in place emergency measures; and
- any additional information necessary for the implementation of the emergency measures.

(2) System operators shall publish emergency plans on their websites and send them to the competent authority.

(3) System operators shall immediately notify the competent authority in writing of any implementation of the emergency measures referred to in this Article unless they have reported on the implementation of emergency measures under other provisions of this Act.

## **7 Reporting and publications**

### Article 20

#### **(Reporting to the competent authority)**

(1) During the period when any crisis level is declared, the transmission system operator shall report daily to the competent authority, in particular, the following information in electronic format:

- daily gas demand and supply forecasts for the following three days;
- daily gas flow at all border entry and exit points; and
- the period, expressed in days, for which it is assumed that gas supply to protected customers can be guaranteed.

(2) Where necessary, the transmission system operator shall obtain the information referred to in the preceding paragraph from suppliers. In the event of any change in the daily data already reported in the preceding paragraph, the supplier shall communicate those changes to the transmission system operator and the competent authority. Producers of electricity in installations with a rated output exceeding 20 MW that use gas for their production and cannot switch to another energy product, shall report the data referred to in the first indent of the preceding paragraph to the transmission system operator and to the competent authority. To report under this and the preceding paragraph, the competent authority may publish the appropriate forms.

(3) The natural gas undertakings concerned shall provide at least the following data to the competent authority within three weeks of declaring the end of an emergency level or the EU alert level:

- estimated reduction in revenue;
- estimated reduction in the quantities of gas transferred or delivered;
- estimated increase in costs resulting from the implementation of measures in accordance with this Act;
- estimated number of customers affected and their distribution by type of demand;
- the geographical location of the affected area.

(4) Affected customers with an annual consumption of more than 800,000 kWh/year shall provide the competent authority with at least the following information within two weeks after the end of the EU-wide emergency or alert level has been declared:

- estimated reduction or loss of production as a consequence of the emergency;
- estimated increase in the cost of production due to the use of an alternative energy source.

## Article 21

### **(Reporting by the competent authority and publications)**

(1) The competent authority shall immediately inform the European Commission, the ministry responsible for energy, the National Crisis Management Centre, and, where appropriate, other authorities of the declaration of the beginning and end of any crisis level. The competent authority shall inform the public about the declaration of the beginning and end of the crisis level, at least by publishing it on its website. When an emergency level has been declared, the competent authority shall also inform the European Commission and the ministry responsible for energy of the measures being implemented. The competent authority shall also keep the European Commission informed of any solidarity assistance requested and obtained.

(2) The competent authority shall also inform the competent authorities of the EU Member States with which the gas transmission system of the Republic of Slovenia has a direct cross-border connection, without delay, by electronic means of declaring the start and end of any crisis level.

(3) If the competent authority, in communication with the competent authorities of neighbouring EU Member States in its risk group, finds that the conditions for declaring a regional crisis are met, it shall, together with those authorities, propose to the European Commission a declaration of a regional crisis. When these conditions are no longer met, it proposes to the European Commission, together with the same competent authorities, to declare the end of the regional crisis.

The competent authority shall publish on its website with which competent authorities of neighbouring EU Member States cooperate in the field of security of gas supply and in the implementation of Regulation (EU) 2017/1938. The competent authority shall also publish on its website the name and contact details of the person responsible for security of gas supply referred to in Article (18) 2 of this Act and his deputy.

## **III SOLIDARITY**

### Article 22

#### **(General)**

(1) Solidarity shall be implemented on the basis of the intergovernmental agreement on solidarity Actions referred to in Article 13 of Regulation (EU) 2017/1938.

(2) Solidarity concerns supplies for the next gas day. If the situation requires, it may also refer to the intraday period.

Article 23  
**(Receiving solidarity)**

(1) After the declared emergency level, when crisis management measures have already been taken in accordance with Article 13(1) of this Act, the competent authority shall assess whether those measures are sufficient for the supply of solidarity-protected customers.

(2) Each supplier to protected customers shall notify the competent authority on a daily basis of the quantities of gas needed to supply solidarity-protected customers for the following gas day. The transmission system operator shall assess the feasibility of transferring estimated quantities and, in cooperation with the competent authority, assess whether the quantities declared by suppliers correspond to the supply of solidarity-protected customers. Where appropriate, the transmission system operator shall also propose to the crisis group the determination of different quantities of individual customers, including gas quantities for those customers for which gas quantities have not been reported by their suppliers. It shall communicate its proposals to the crisis group.

(3) The crisis group shall assess whether there is a need to provide gas volumes for the purpose of supplying protected customers that cannot be guaranteed by national measures. In doing so, it shall also take into account available gas volumes that suppliers can provide in accordance with Legal Act on preventive action plan. On this basis, the competent authority shall decide on the amount of missing gas required for the uninterrupted supply of solidarity-protected customers and shall inform the ministry responsible for energy accordingly.

(4) Upon receipt of tenders from the requested EU Member States or their competent authorities, the competent authority shall, on the basis of the opinion of the crisis group and in accordance with the intergovernmental agreement on solidarity measures, decide on the acceptance of the most favourable offer(s) in terms of price and other conditions and determine how these volumes of solidarity gas shall be allocated among the suppliers referred to in the second paragraph of this Article. The competent authority may also decide, on the basis of the opinion of the crisis group, to reject the offer(s) on the basis of the price offered. The competent authority shall immediately notify the decision referred to in this paragraph in writing to the suppliers referred to in the second paragraph of this Article, to the transmission system operator, and to the ministry responsible for energy.

Article 24  
**(Acquisition and payment of gas from solidarity assistance)**

(1) The transmission system operator shall ensure gas transmission from border interconnection points to exit points from the transmission system under the conditions set out in the applicable transport contracts. The transmission system operator shall have the right to use the unused capacity to transport solidarity gas and to account for it in accordance with the act governing the methodology for calculating the network charge.

(2) Each supplier shall take over the volumes of gas resulting from the decision of the competent authority referred to in the fourth paragraph of Article 23 of this Act. If the volumes of solidarity gas actually supplied are lower than those resulting from the accepted offers, the supplier shall take over proportionally reduced volumes of solidarity gas in relation to the volumes indicated in the decision of the competent authority to distribute solidarity gas. The transmission system operator shall inform suppliers of the volumes referred to in the preceding sentence.

(3) The supplier shall be obliged to pay the proportionate part of the solidarity gas compensation, plus the other components of the compensation referred to in Article 13(8) of Regulation (EU) 2017/1938, corresponding to the volume of gas supplied. Account shall also be taken of the extent of the Government's financing of solidarity under Article 122(1) of the ZOP.

## Article 25 **(Market-based solidarity measures)**

(1) Upon receipt of a request for solidarity from an EU Member State with which an intergovernmental agreement on solidarity measures has been concluded, the competent authority shall assess whether the request fulfils the condition for the implementation of a solidarity measure referred to in Article 13(3)(b) of Regulation (EU) 2017/1938, in so far as it relates to the application of market-based measures on the Slovenian market, and the conditions laid down in the intergovernmental agreement on solidarity measures with that EU Member State.

(2) If the competent authority assesses that the request fulfils the conditions referred to in the preceding paragraph, it shall send a request to the suppliers in the Republic of Slovenia to the virtual point and shall set a deadline within which the suppliers shall send it offers for the gas that they may provide for solidarity support in a market-based manner. These offers shall also include the volumes offered by the customers in agreement with the suppliers. The suppliers' offers shall contain the information provided in the intergovernmental agreements on solidarity measures with the EU Member State requesting solidarity support.

(3) The competent authority shall assess the situation and, where appropriate, consult the crisis group and declare the early warning level or the alert level if not already declared. The competent authority shall immediately forward the offers received to the transmission system operator in order to determine the feasibility of the transmission to the Slovenian border with the requesting EU Member State. The transmission system operator shall also determine the availability of exit capacities at border points with that EU Member State and shall inform the competent authority of both without delay.

(4) Where intergovernmental solidarity arrangements do not provide for separate offers from individual suppliers to be sent when offering solidarity through market-based measures, the competent authority shall prepare a single offer taking into account the offers of individual suppliers, plus the other components of the compensation referred to in Article 13(8) of Regulation (EU) 2017/1938, as provided for in the intergovernmental solidarity arrangements. Gas transmission costs and exit capacity costs are an integral part of the compensation.

(5) Where intergovernmental solidarity arrangements provide for separate offers from individual suppliers to be sent to the requesting EU Member State when providing market-based solidarity measures, the competent authority of the suppliers shall increase the offers of the suppliers by an appropriate proportion of the other components of the compensation referred to in Article 13(8) of Regulation (EU) 2017/1938, as provided for in the intergovernmental arrangements. Gas transmission costs and exit capacity costs are an integral part of the compensation.

(6) In accordance with Article 121(7) of the ZOP, the competent authority shall inform the ministry responsible for energy of the solidarity request received and of the offer made under paragraph 4 or tenders made under paragraph 5 of this Article. The competent authority shall notify the National Security Council Secretariat of the offer.

(7) If an EU Member State accepts offers or an offer, the TSO shall, to the extent that the offers or the offer were accepted, and as provided by the suppliers, carry out the transfer of the gas and its delivery at the border crossing point.

(8) A supplier shall be entitled to a payment for the provision of gas for solidarity aid in a market-based manner to the extent of its accepted offer. Payments shall be made by the transmission system operator within the trust account on a daily basis for the preceding day unless otherwise provided for in the intergovernmental gas solidarity agreements.

(9) Where the offer is not accepted by the EU Member State that requested solidarity assistance, the competent authority shall assess whether the conditions for a declared crisis level are still fulfilled. If these conditions are no longer fulfilled, the competent authority shall declare the end of the declared crisis level.

#### Article 26

#### **(Non-market-based solidarity measures)**

(1) If, in accordance with the intergovernmental solidarity arrangements, the requesting EU Member State notifies the competent authority that the gas volumes offered on the basis of market-based measures are not sufficient to supply gas to solidarity-protected customers in that EU Member State and requests additional solidarity, the competent authority shall take non-market measures.

(2) If the competent authority decides to carry out non-market measures to provide solidarity to another requesting country, it shall declare the emergency level if it is not already declared. It shall inform the crisis group accordingly and invite suppliers to prepare for the implementation of the measures applicable at the emergency level in accordance with this Act.

(3) Following the declaration of a crisis, the competent authority shall invite suppliers to send without delay gas offers that they can provide for solidarity through the measures referred to in Article 12.

(4) The competent authority shall immediately transmit the offers received to the transmission system operator to establish:

- whether the volumes of gas announced in the system are actually available without compromising the supply of solidarity-protected customers, and
- the feasibility of transferring the relevant gas volumes to the Slovenian border with the requesting EU Member State and the availability of exit capacities at border points with that EU Member State.

The transmission system operator shall immediately inform the competent authority of the findings.

(5) On the basis of the offers received from suppliers, the competent authority shall prepare an offer for the supply of solidarity gas on the basis of the implementation of the non-market measures referred to in Article 12 of this Act. The competent authority shall also indicate in the offer the appropriate share of the other components of the compensation referred to in Article 13(8) of Regulation (EU) 2017/1938 as provided for in the intergovernmental agreements. Gas transmission costs and exit capacity costs shall form an integral part of the compensation.

(6) The competent authority shall notify the ministry responsible for energy of the request for solidarity assistance received and of the offer made in accordance with Article 121(7) of the ZOP. The competent authority shall inform the Secretariat of the National Security Council of the offer.

(7) If an EU Member State accepts the offer referred to in the preceding paragraph, the transmission system operator shall, to the extent that the offers or the offer have been accepted and as provided by the suppliers, carry out the transfer of the gas and its delivery at the border crossing point.

(8) A supplier shall be entitled to payment for the provision of solidarity gas to the extent of its offer made pursuant to paragraph 3 of this Article which has been accepted. Financial transactions, including payments, for solidarity gas, shall be carried out by the transmission system operator through a trust account. Payments for solidarity gas shall be made on a daily basis for the previous day unless otherwise provided for in the intergovernmental gas solidarity agreements.

(9) If the volumes offered under paragraph 5 of this Article are still insufficient to provide solidarity support for the supply of solidarity-protected customers in the requesting EU Member State, the competent authority shall issue a general decision to implement the measures under Article 13 of this Act.

(10) The competent authority shall invite the suppliers to inform it without delay of the volumes of crisis gas that will be available to them for the purpose of implementing the measures referred to in Article 13 of this Act and shall thereafter carry out the procedure under the fourth, fifth and sixth paragraphs of this Article. In making the offers, the competent authority shall take into account the prices of crisis gas to date and at that time, in accordance with the methodology for calculating the compensation and the price of gas in the event of an involuntary reduction or interruption of gas consumption. The competent authority shall also

indicate in the offer the appropriate share of the other components of the compensation referred to in Article 13(8) of Regulation (EU) 2017/1938 as provided for in the intergovernmental agreements. Gas transmission costs and exit capacity costs shall form an integral part of the compensation.

(11) If an EU Member State accepts the offer referred to in the preceding paragraph, the transmission system operator shall, to the extent that the offers or the offer have been accepted and as provided by the suppliers, carry out the transfer of the gas and its delivery at the border crossing point.

(12) A supplier whose gas has been sold as solidarity gas to a neighbouring Member State in the framework of measures under Article 13 of this Act shall be entitled to payment for the crisis gas. The final consumer shall also be entitled to compensation in accordance with Article 120(8) of the ZOP. Payments shall be made by the operator of the trust account as soon as it receives payment for the crisis gas.

(13) The competent authority shall assess whether the conditions for the declared emergency level are still met. If these are not met, the competent authority shall declare the end of the emergency level after having informed the EU Member State requesting solidarity under non-market-based measures, in accordance with Article 13(6) of Regulation (EU) 2017/1938, that the supply to solidarity protected customers on its territory is provided without solidarity or no longer requests solidarity for other reasons. Upon termination of the non-market gas supply measures to implement the accepted solidarity support, the competent authority shall declare the end of the emergency level.

#### Article 27

#### **(Verification of emergency response)**

(1) The competent authority shall verify the emergency response in the form of an exercise simulating different emergency scenarios and the response to them in real-time. The competent authority shall test high and medium impact scenarios.

(2) The exercise shall involve the competent authority, the TSO, and at least three representative suppliers. The ministry responsible for energy shall also participate in the exercise and, if necessary, other ministries or public authorities with competence in the field of defence, distribution system operators, and heat distributors. The exercise shall be conducted by the competent authority, except in the case referred to in the first indent of the fourth paragraph of this Article.

(3) The exercise shall be carried out within a period of four years after the entry into force of this Act and shall be repeated each time no later than four years after the exercise.

(4) For reasons of rationality, the competent authority may carry out the exercise:

– in the context of a substantively compatible exercise carried out by another public authority or by the European Commission, or

– in cooperation with the competent authority of at least one of the neighbouring countries if solidarity assistance is also tested.

(5) After the exercise, the competent authority shall draw up a report identifying any shortcomings in the procedures under this Act and in other related acts, such as laws in the fields of energy, critical infrastructure, defence, intergovernmental agreements governing solidarity between neighbouring countries and the Legal Act on preventive action plan for the natural gas supply. Any deficiencies identified shall be taken into account by the competent authority when updating this Act. The Competent Authority shall also submit the results of the verifications relating to this Act to the Gas Coordination Group referred to in Article 4(1) of Regulation (EU) 2017/1938.

## **V TRANSITIONAL AND FINAL PROVISIONS**

### Article 28

#### **(Transitional provisions)**

(1) Within 30 days after the entry into force of this Act, the system operator shall invite customers, other than household customers, to communicate to the system operator to which those demand points are connected, their classification in the group or groups, and subgroup or subgroups referred to in Article 13(1) and (2) of this Act, according to the purpose for which the gas is consumed at that demand point. If a customer proposes to be classified in more than one group or subgroup, he shall, in addition to the proposed classification, also communicate the proportion of annual gas consumption attributable to each classification in relation to the purpose or activity. If the customer does not communicate the classification, the system operator shall determine the classification on the basis of Article 117(7) of the ZOP within 15 days of the expiry of the deadline for communicating the classification to the system operator and shall inform the customer thereof.

(2) System operators shall adapt their emergency plans to comply with this Act within 30 days of the entry into force of this Act.

(3) The exchange of data between the natural gas undertakings and the competent authority shall take place by e-mail until the SIS is established and operational.

(4) The competent authority shall publish the Emergency Plan referred to in Article 1(5) of this Act on its website within 30 days of the entry into force of this Act.

(5) If the period of application of Regulation (EU) 2022/1369 is extended, the applications of the provisions of Articles 14 and 15 of this Act shall also be extended by the same period.

Article 29  
**(Cessation of the application of general act)**

On the date of entry into force of this Act, the Act establishing an emergency plan for the supply of natural gas (UL RS Nos 97/20 and 204/21 – ZOP) shall cease to apply.

Article 30  
**(Entry into force)**

This Act shall enter into force on the day after its publication in Uradni list Republike Slovenije (Official Gazette of the Republic of Slovenia).

No 71-8/2022/15  
Maribor, 20 October 2022  
EVA 2022-2430-0080

President of the Council  
Energy Agency  
Dr Franc Žlahtič, m.p.