



ERGEG 2006 Monitoring of the Implementation of the Guidelines for Good TPA Practice for Storage System Operators (GGPSSO) - Letter to Storage Users

**Ref: E06-GA-14-01b
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Invitation to comment

ERGEG's initial results on monitoring the implementation of the Guidelines for Good TPA Practice for Storage System Operators (GGPSSO) were published on 15 May 2006.

ERGEG is committed to open and transparent consultation. The GGPSSO were developed through open consultation with all stakeholders. ERGEG has already sent out questionnaires in order to collect information from EU Storage System Operators (SSOs) and National Regulatory Authorities (NRAs). These questionnaires are published on the ERGEG website www.ergeg.org.

At this stage of the process, ERGEG would like to consult storage users – be they actual storage users or potential storage users, since they are actively participating in the storage market and therefore should provide the best insight as to whether and how the GGPSSO have been implemented or its provisions circumvented. Accordingly, ERGEG has prepared a list of questions for users.

The results from the monitoring process will be crucial in identifying the effectiveness of TPA to storage and areas where the GGPSSO may be improved.

ERGEG invites interested parties to comment on the implementation assessments at the end of Chapters 3 to 8 and on the initial conclusions of the ERGEG Interim 2006 Report on Monitoring the Implementation of the Guidelines for Good TPA Practice for Storage System Operators.

Responses should be received by **29 June 2006** and sent by e-mail to: gasstoragemonitoring@ceer-eu.org

Unless marked as confidential all responses will be published by placing them on the ERGEG website. If there is anything confidential please include it in a separate annex to your main response.

1. Questions for storage users

Background – overview of storage markets and regulation in the EU

- 1.1 Do you see any competition between storage facilities and/or with other flexibility instruments allowing for partial or full substitute to storage?
- 1.2 If a storage facility is fully booked do you have the choice to use another facility?

Confidentiality Requirements

- 1.3 Do you believe the implementation of the confidentiality requirements has been effective so far?
- 1.4 Do you believe it is necessary to add more requirements in order to improve confidentiality?
- 1.5 Do you think that thus far information has been used in a discriminatory manner by vertically integrated companies?
- 1.6 Do you think that drafting a code of conduct or compliance programme supervised by a compliance officer suffices to ensure compliance with confidentiality requirements?
- 1.7 Do you think that the role of external bodies, such as NRAs, has had a positive impact on compliance with confidentiality requirements?
- 1.8 Do you think that legal unbundling would help?
- 1.9 Do you think that mandatory supervision by NRAs of codes of conduct and compliance programmes would help?
- 1.10 What is your assessment of the quality of documents put in place by SSOs stating how affiliates may use storage facilities?

Necessary TPA services

- 1.11 When capacity is available, do you consider that the offer of services by the SSOs is flexible enough to ensure that it does not constitute an obstacle to competition nor to your entry or presence in the market?
- 1.12 What can eventually be changed in the menu of services to better meet user's need? In particular what is your assessment of interruptible services?
- 1.13 Are you satisfied by the level of openness of consultation processes about services?

Storage Capacity Allocation and Congestion Management

- 1.14 When multi annual capacity booking is possible, is the information concerning future available capacity precise enough?
- 1.15 How far into the future should information on booked and available capacities go?
- 1.16 Are the storage capacity allocation mechanisms effective and non-discriminatory?
- 1.17 What would be the improvements to capacity congestion management?

Transparency requirements

Commercial information

- 1.18 How easily can you find commercial and technical information? For example, are there instances where information can only be accessed through a search engine, or where access entails compulsory registration, or the use of cookies?
- 1.19 Is the information available precise enough? Is it made available in a user-friendly way?

Operational information

- 1.20 Is the information available precise enough? Is it disclosed in a timely manner?
- 1.21 Should the definitions (capacity definitions) be reviewed to improve their specificity to help ensure consistency of application across the EU?
- 1.22 Do you receive enough information on planned maintenance?
- 1.23 If unplanned interruptions have occurred, was the information made available in a way that has met your needs?
- 1.24 Which improvements in the requirements would be useful?

Secondary markets

- 1.25 What are the main impediments to secondary trading and what can be the other requirements to favour its development?
- 1.26 How can standardized contracts and procedures for the secondary market (where they exist) be improved?
- 1.27 Are rules for trade of gas in store consistent with capacity trading? If not what can be changed in these rules?