



ERGEG comments on DEN on Transparency

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XII. Madrid Forum, 2007-02-20

Relevance of Transparency

- **Transparency of information is crucial to the development of a competitive market – particularly in the absence of effective unbundling in many Member States**
 - In order to avoid distortion in trade TPA information has to be provided on a non-discriminatory basis → the requirement of equal treatment requires a sufficient level of transparency
 - where information is provided selective or inadequately competitive disadvantages occur for competitors excluded from information
 - common minimum standards on such transparency requirements are therefore necessary
- **ERGEG welcomes DG TREN's draft explanatory notes as a useful clarification of legal provisions on transparency**
- **There is however need for further clarification...**

ERGEG Comments – Overview (1)

1. Information on availability of capacities

- Publication of capacity calculation principles
- Publication of historically committed AND historically used capacities

2. Information on tariffs and tariff methodologies

- Details on publication requirements

3. Information on short and long term CMP

- Transparency of 2ndary market trading shall address the same requirements as 1ary market trading → best guaranteed via a bulletin board
- Transparency on expansion projects (unless provided via a long term planning approved by the NR)
- Open season procedures shall precede system expansions in order to ensure transparent assessment of market demand

ERGEG Comments – Overview (2)

4. **Transparency vs confidentiality**

- 3 minus shipper rule has to be approved by NR
- In any case publication of available capacities

5. **Governance of information management**

- Consultation of network users and review by NR

6. **Information has to be free of charge**

- Unless requiring extraordinary or excessive expenses

7. **Coordinated Provision of information**

- In case TSO services are offered for more than one TSO-system by one entity or body it must be guaranteed that all transparency requirements can be recalled for the total transport route