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**From:** [REDACTED]  
**Sent:** 30 April 2019 22:33  
**To:** bookingplatform  
**Cc:** [REDACTED]@toe.pl  
**Subject:** ACER consultation on single capacity booking platform for gas between Germany and Poland  
**Attachments:** Skan\_20190429\_124350.pdf

Dear Sirs,

Please find enclosed comments to public consultation as part of Agency decision making process for the selection of single capacity booking platform for gas between Germany and Poland.

I am writing from my private email because I have a problem sending an email from the mailbox of Association of Energy Traders.

With regard to the questions in the questionnaire, please find below our additional comments.

**Annex 1**

**Question 1** - all requirements are still relevant;

**Question 2** – GSA Platform is compliant with all 22 requirements;

**Annex 2**

**Question 1** – from Association of Energy Traders’ participants perspective, what is of utmost importance is security and reliability of the platform. We want to be sure, that the auctions will be held on time and not interrupted, enabling us to plan our business strategy. Other important issue with regard to the platform is its user friendliness and flexibility – we want to make sure that in case there is a problem to be solved or the market needs a new solution to be implemented, we have the right to submit our views to the platform and such views will be considered and responded to. From the market participant perspective the booking platform should be a uncomplicated, reliable tool serving solely its main purpose i.e. capacity auctioning.

**Question 2** – As far as we are concerned, there is no such requirement deriving from the EU law. What has been useful from our point of view was organisation of workshops and regular meetings with shippers, where the features of the platform were discussed and explained or important upcoming dates and issues e.g. regarding the auction calendar were presented.

**Question 3** – we believe that the EU law creates the framework for TSOs to be capacity booking platform operators. We are not aware of any requirements deriving from the EU law with regard to ensuring independence between platform and the TSO being its operator;

**Question 4/ Question 5** – as far as we are concerned the capacity booking platform function on the competitive European market. We do not see the justification for putting more obligations on the platforms being operated by TSOs than on other functioning platforms which are not led by the TSO. We are of the opinion that EU law sets explicit right for TSO to operate the booking platforms and any restrictions put on TSOs in this regard may be considered as violation of the EU law and a competition restriction.

**Annex 3**

Association of Energy Traders’ participants are not in the position to comment on the questions in Annex 3. The requirements sets therein are highly detailed and are beyond the scope of our expertise. As we have highlighted above, from our perspective the most important is to have a guarantee that auctions are run in a timely manner, the information about the shippers are protected and the auctions are not interrupted.

**Annex 4**

The criteria proposed by ACER seem to be reasonable. Nonetheless, it should be underlined that since price for using the platform will be at the end covered by the tariff, maybe the price should be given 50% of the evaluation value.

Yours sincerely,

[REDACTED]

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