

18 November 2011

[TransparencyNW@acer.europa.eu](mailto:TransparencyNW@acer.europa.eu)

Dear Colleagues,

**Gas Regional Initiatives - North West: Consultation on Compliance Monitoring of TSOs against the Third Package Gas Transparency Requirements**

Transparency is a critical element in ensuring an effective functional internal European market. Gas Regulation No 715/2009, effective from 3<sup>rd</sup> March 2011 includes a number of enhanced Transparency requirements beyond the 2005 Gas Regulation No 1775/2005. These requirements can be found under Article 18 “*Transparency requirements concerning TSOs*” and under amended Chapter 3 of Annex 1 “*Definition of the technical information necessary for network users to gain effective access to the system, the definition of all relevant points and the time schedule according to which information should be published*”.

Following a suggestion from stakeholders at the November 2010 Stakeholder Group (SG) meeting, regulators of the Gas Regional Initiative North West (GRI NW) agreed to examine compliance of TSOs against these new gas transparency requirements. It was considered appropriate to use the regional initiative platform to conduct this exercise so that it could be completed in a coordinated manner.

For this purpose, we asked all TSOs within the GRI NW region to complete a questionnaire to explain whether or not they publish information required by Chapter 3 of Annex 1 of the Gas Regulation and to include a link to the relevant information. All TSOs have responded, although the full links have not been provided in all instances.

In order to provide an assessment of TSOs’ compliance, **we are now seeking stakeholder views on the content of the TSOs’ responses**. Annex 2 of this letter includes links to all completed questionnaires we received from TSOs, and a summary table. As users of the information published by TSOs, we ask respondents to review the information. We are also inviting views on whether it is user friendly and published at an appropriate frequency. Some specific questions and details on how to respond can be found in annex 1 of this letter. Stakeholder responses will provide a valuable assessment of TSO compliance with the transparency requirements and will help relevant authorities ensure that the legislative requirements are implemented appropriately. The outcome of this public consultation will feed into conclusions to be prepared by the Regional Coordination Committee of the GRI NW.

**We would welcome your views by email to [TransparencyNW@Acer.europa.eu](mailto:TransparencyNW@Acer.europa.eu) by 20 January 2012.**

Yours Sincerely,

GRI NW Regional Coordination Committee

## **Annex 1 - Questions**

We would welcome stakeholder views on the responses provided by the TSOs by 20 January 2012. Specifically we would welcome your views on the following:

- 1. What are your views on the overall quality, consistency, frequency and availability of the information published by TSOs in order to comply with the Transparency requirements in Gas Regulation EC/715/2009? Are there any areas of improvement?**
- 2. Do you consider the questionnaire responses accurately reflect the information that is made publicly available by TSOs in order to comply with the Transparency requirements in Gas Regulation EC/715/2009? If you consider they do not please provide specific examples.**
- 3. Is the information that is published by TSOs in order to comply with the Transparency requirements in Gas Regulation EC/715/2009 user-friendly? Where you consider the information is not user-friendly please provide specific examples.**
- 4. Is the information that is published by TSOs in order to comply with the Transparency requirements in Gas Regulation EC/715/2009 available free of charge without subscriptions? Where you find it is not available free of charge please provide specific examples.**
- 5. Is the information that is required to be published at all relevant points (Annex 1, Chapter 3, Article 3.3 (a-g)) published “close to real time i.e. as soon as it is available to the system operator”? If not please provide specific examples.**

## **How to Respond**

If you have any comments or questions on this letter or on the TSO Transparency questionnaires please contact [TransparencyNW@acer.europa.eu](mailto:TransparencyNW@acer.europa.eu) in the first instance.

We would welcome responses to the questions raised in this letter (or any remaining remarks) by 20 January 2012. Unless marked confidential, all responses will be published on ACER’s Regional Initiatives website [www.acer.europa.eu](http://www.acer.europa.eu).

Respondents that wish to have their responses remain confidential, should clearly mark documents to that effect and give the reasons for confidentiality.

## Annex 2 – Questionnaires

<b>DETAILED RESPONSES BY COUNTRY:</b>														
<b>Country</b>	<b>Transmission Service Operators (TSOs)</b>	<b>Link to questionnaire response</b>												
Belgium	Fluxys	 Belgium.xlsx <a href="#">Belgium</a>												
Denmark	Energinet.DK	 Denmark.xlsx <a href="#">Denmark</a>												
France	GRTgaz	 France.xlsx <a href="#">France</a>												
Germany	<table border="0"> <tr> <td>Bayernets</td> <td>GVS</td> </tr> <tr> <td>EGMT</td> <td>OGE</td> </tr> <tr> <td>ENI</td> <td>ONTRAS</td> </tr> <tr> <td>EWE</td> <td>Statoil</td> </tr> <tr> <td>GRTgaz Deut</td> <td>Thyssengas</td> </tr> <tr> <td>Gasunie</td> <td>Wingas</td> </tr> </table>	Bayernets	GVS	EGMT	OGE	ENI	ONTRAS	EWE	Statoil	GRTgaz Deut	Thyssengas	Gasunie	Wingas	 Germany.xlsx <a href="#">Germany</a>
Bayernets	GVS													
EGMT	OGE													
ENI	ONTRAS													
EWE	Statoil													
GRTgaz Deut	Thyssengas													
Gasunie	Wingas													
Great Britain	Interconnector UK (Interconnector) National Grid	 Great Britain.xlsx <a href="#">Great Britain</a>												
Ireland	Gaslink	 Ireland.xlsx <a href="#">Ireland</a>												
Luxemburg	Creos Luxemburg S.A.	 Luxemburg.xlsx <a href="#">Luxemburg</a>												
Northern Ireland	BGE (UK) Mutual Energy	 Northern Ireland.xlsx <a href="#">Northern Ireland</a>												
Sweden	Swedagas & Svenska Kraftnät (consolidated questionnaire)	 Sweden.xlsx <a href="#">Sweden</a>												
The Netherlands	BBL Company (Interconnector) GTS	 The Netherlands.xlsx <a href="#">The Netherlands</a>												

A summary of the TSOs' responses is provided below. Some minor adjustments were made in the summary to make it more consistent and user friendly.

Key:

	Yes / Data published
	Not applicable, forthcoming, or exemption request pending
	No / Data not published
	No information

















