

# Public Consultation on day-ahead and within-day multipliers

## Based on Article 13(3) of the Network Code on Harmonised Transmission Tariff Structures for Gas

### PC\_2020\_G\_19

#### 1. Objective

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Commission Regulation (EU) 2017/460 of 16 March 2017 establishing a network code on harmonised transmission tariff structures for gas ('NC TAR') entered into force in 2017 and it has introduced a number of provisions on multipliers that are applicable for the calculation of short-term capacity products (quarterly, monthly, daily and within-day).

The NC TAR provides the possibility for the Agency to issue a recommendation to cap the multipliers used to calculate the reserve prices of day-ahead ('DA') and within-day ('WD') capacity products to 1.5.

The objective of this consultation is to gather views and information from stakeholders on the impact of DA and WD multipliers in order to assess the possibility of issuing a recommendation to limit the level of these multipliers

The provision foreseeing this possibility is laid out in Article 13(3) of the NC TAR:

*"By 1 April 2023, the maximum level of multipliers for daily standard capacity products and for within-day standard capacity products shall be no more than 1,5, if by 1 April 2021 the Agency issues a recommendation in accordance with Regulation (EC) No 713/2009 that the maximum level of multipliers should be reduced to this level. This recommendation shall take into account the following aspects related to the use of multipliers and seasonal factors before and as from 31 May 2019:*

- *changes in booking behaviour;*
- *impact on the transmission services revenue and its recovery;*
- *differences between the level of transmission tariffs applicable for two consecutive tariff periods;*
- *cross-subsidisation between network users having contracted yearly and non-yearly standard capacity products;*
- *impact on cross-border flows."*

The Agency invites stakeholders to express their views on the points referred to in Article 13(3) of the NC TAR.

## 2. Target group

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This consultation is addressed to European associations, national associations, TSOs, shippers or energy trading entities, end-users and others.

## 3. Deadline

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Please provide your response by **9 December 2020**, 23:59 hrs (CET).

## 4. Identification data and confidential information

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Please indicate the following data:

Name:

Position held:

Phone number and contact e-mail:

Name and address of the company you represent:

Your country:

Other country, if not in the list above:

Please indicate, if your company/organisation is:

- European association
- National association
- TSO
- Shipper or energy trading entity
- End-user
- Other (e.g. Power Exchanges, Storage Operator etc.).

If other, please specify below:

n/a

Any confidential information should be marked clearly as such, including the word 'CONFIDENTIAL' in the subject of the e-mail, as ACER will not treat e-mails which contain only a general disclaimer (usually automatically added) as containing confidential information. If respondents want to claim confidentiality, they should provide an explanation of their confidentiality interests and a non-confidential version of their response for publication. For more details on this, please see the Rules of Procedure of the Agency (Article 9 of Decision No 19/2019 of the administrative board of the European Union Agency for the Cooperation of Energy Regulators of 11 December 2019)

Is your input into this consultation confidential?

- Yes
- No

## 5. Publication of responses and privacy

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The Agency will publish all non-confidential responses, and it will process personal data of the respondents in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, taking into account that this processing is necessary for performing the Agency's consultation task. For more details on how the contributions and the personal data of the respondents will be dealt with, please see the Agency's Guidance Note on Consultations and the specific privacy statement attached to this consultation.

## 6. Related documents

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- [Regulation \(EU\) 2019/942](#) of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators.
- [Commission Regulation \(EU\) 2017/460](#) of 16 March 2017 establishing a network code on harmonised transmission tariff structures for gas.
- ACER [Guidance Note on Consultations](#)
- Commission [Regulation \(EU\) 2017/460](#) of 16 March 2017 establishing a network code on harmonised transmission tariff structures for gas

## 7. Background

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Multipliers are used to set tariffs for short-term gas transmission capacity products in comparison with the reference prices applied to yearly capacity products. Article 13 of the NC TAR sets out that the level for DA and WD multipliers for standard capacity products shall be *no less than 1 and no more than 3. In duly justified cases, the level of the respective multipliers may be less than 1, but higher than 0, or higher than 3.*

Overall, shippers use different capacity booking strategies taking into account their supply and demand portfolios, market dynamics and gas transmission tariffs both on yearly and short-term capacity products. For example, shippers may secure a certain amount of capacity with yearly capacity products while they cover the seasonal and short-term variations with short-term capacity products.

Multipliers can impact the gas market in various ways, depending on the balance between the short-term and the long-term:

On the first hand, relatively high multipliers on short-term products can deter network users from booking short-term capacity for trading or balancing purposes. On the other hand, high multipliers incentivises yearly bookings which are deemed favourable to TSOs revenue recovery and which allow shippers to flow gas across hubs even when spot market spreads are below the capacity reference price.

From a competition perspective, multipliers can also lead to different outcomes. They have a distributional effect, through the share of revenue recovered from users holding short-term or long-term capacity products. Multipliers can be set with the primary objective of avoiding cross-subsidisation between network users and enhancing the cost-reflectivity of reserve prices. In contrast, low short-term multipliers can be considered as a way to foster competition and to incentivise more dynamic booking strategies.

When setting multipliers, NRAs should consider these different interactions, as required by Article 28 of the NC TAR, to avoid a potential welfare loss for EU consumers.

## 8. Consultation topics and questions

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For all the questions, **please provide supporting evidence**, which can include the identification of IPs where a referred event is relevant and/or a time period for the phenomena observed (how, when and for how long it applies). Supportive evidence can include data, tables and it can be accompanied by examples.

Factual evidence on the effects of the current provisions is highly relevant to evaluate their effectiveness and to assess whether a recommendation could lead to an improvement.

### Topic 1: Changes in booking behaviour

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1. What role do short-term capacity products (DA and WD) play in your capacity booking strategy (balancing activities, market arbitrage, supply profiling...)?

GAZ-SYSTEM as TSO can only observe the bookings behaviour of network users, who use short-term contracts to balance their purchase portfolios.

2. Have you observed that DA and WD multipliers impact booking behaviour and booking strategies (could be your own booking strategy or those of other market players)? For instance, have you observed that low DA and WD multipliers can shift contracted capacity from yearly capacity products to shorter-term capacity products?

- Yes
- No
- Other

2.1 Please explain your reasoning:

Due to lack of significant changes of multipliers before and after the implementation of the Tariff Network Code GAZ-SYSTEM does not observe the impact of DA and WD multipliers on booking behaviour and booking strategies.

Despite this, adopting an excessively low level of multipliers would result in a reduction of transmission rates for short-term products, and this would change the structure of the contract portfolio, consisting in increasing the share of short-term products. For the Operator it would mean loss of control over the amount of regulated revenue achieved in a given period tariff.

Reduce the price of short-term contracts to the level of contracts annual operations would increase the financial risk of the Operator's operation and could expose it to financial loss.

## Topic 2: Impact on the transmission services revenue and its recovery

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3. Have you observed that DA and WD multipliers impact transmission services revenue and its recovery? In particular, could low DA and WD multipliers induce under-recoveries of TSOs' revenues on a transitory basis (in most systems such under-recoveries are systematically rolled to next years by revenue reconciliation mechanisms)?

- Yes
- No
- Other

3.1 Please explain your reasoning:

Due to lack of significant changes of multipliers applied for short-term contracts before and after the implementation of the Tariff Network Code GAZ-SYSTEM does not observe the impact of DA and WD multipliers on transmission services revenue and its recovery. As operating under price-cap regime, GAZ-SYSTEM would recover the allowed revenue through regulatory account in longer perspective.

## Topic 3: Differences between the level of transmission tariffs applicable for two consecutive tariff periods

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4. Have you observed significant changes in DA and WD multipliers in the 2016-20 period?

- Yes
- No
- Other

4.1 Please explain your reasoning:

In years 2016-2019 the level of DA and WD multipliers applied by GAZ-SYSTEM for short-term contracts did not change. In year 2020 the level of DA and WD multipliers decreased by 2% in comparison to the previously applied average yearly correction coefficient for DA and WD products.

5. Have you observed that changes in multipliers have led to changes in the tariffs applicable for other capacity products (e.g. yearly capacity product)?

- Yes
- No
- Other

5.1 Please explain your reasoning:

In previous years changes in the tariffs were mainly caused by the changes of the level of allowed revenue and capacity bookings for yearly, quarterly and monthly contracts.

## Topic 4: Cross-subsidisation between network users having contracted yearly and non-yearly standard capacity products

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6. Have you observed that DA and WD multipliers have placed or could place in the coming years excessive costs on short-term capacity compared to the costs recovered through yearly capacity products?

- Yes
- No
- Other

6.1 In the affirmative, how could it affect competition and market integration?

n/a

6.2 Please explain how you evaluate if costs for short-term bookings are excessive compared to yearly bookings and on what criteria you base your argument.

n/a

## Topic 5: Impact on cross-border flows

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7. Have you observed that DA and WD multipliers have impacted or could impact in the coming years cross-border flows? Consider, in particular, situations where high DA and WD multipliers may prevent the use of available cross-border capacity or where high multipliers for DA and WD capacity product may negatively affect the correlation between gas prices in neighbouring hubs.

- Yes  
 No  
 Other

7.1 Please explain your reasoning:

Despite the lack of changes in DA and WD multipliers we can observe significant changes in demand on cross-border transmission DA and WD products in years 2016-2020 which points to other underlying reasons. Please note that the cross-border transmission services revenue, as defined in TAR NC, constitutes about 4% of the overall TSO's transmission services revenue.

8. Have you observed that DA and WD multipliers can be a market barrier (for instance by granting an advantage to holders of long-term bookings)?

- Yes  
 No  
 Other

8.1 Please explain your reasoning:

GAZ-SYSTEM did not observe that the multiplier levels used in the Polish transmission system constitute a market barrier. Even though the level of multipliers applied by GAZ-SYSTEM didn't change significantly in the analyzed period, an increase in the use of DA and WD products was noticed. However, the company believes that too high level of multipliers may be a market barrier for using DA and WD products as a optimizing tool in users purchase portfolios.

## Conclusion

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9. From your perspective, what would be the advantages and disadvantages of capping DA and WD multipliers at 1.5 across Europe?

The multiplier level allows the Operator to maintain an appropriate proportion between long-term products ensuring the stability of its revenues, and thus the possibility to carry out investments, and short-term products that enable network users to optimize their purchase portfolios. Operator should have a stable inflow of funds secured evenly throughout the year, especially during realization of capital-intensive

investment plan.

Due to the fact that short-term products capacity, based on RPM approved by Polish NRA for 2020-2022, is included in the calculation of the reference price, the established level of multipliers and seasonal factors will not affect the recovery of TSO's revenue.

Thank you for your reply!

## **Contact**

[Contact Form](#)