



21 December 2016

To the network users of NET4GAS, s.r.o.

Public Consultation:

Amendment of the Interconnection Agreement at the cross-border point

Waidhaus MEGAL

Dear Sir or Madam,

According to Article 4 (2) of the Commission regulation (EU) 2015/703 of 30 April 2015 establishing a network code on interoperability and data exchange rules (NC INT) NET4GAS, s.r.o. (N4G) invites their network users to comment on the third amendment of the Interconnection Agreement Waidhaus MEGAL.

Citation NC INT Art. 4 (2) for information:

"Before concluding or amending an interconnection agreement which contains rules referred to in Article 3(c), (d) and (e), transmission system operators shall invite network users to comment on the proposed text of those rules at least two months before the agreement is concluded or amended. The transmission system operators shall take the network users' comments into account when concluding or amending their interconnection agreement. "

The 3rd Amendment of the Interconnection Agreement Waidhaus MEGAL specifies special deadlines for the scheduling of messages according to the "Network Code on Gas Balancing of Transmission Networks" (BAL NC, commission regulation (EU) No 312/2014) and includes rules to allow single-sided Nomination at Interconnection Points on the basis of the "Network Code on Capacity Allocation Mechanisms in Gas Transmission Systems" (CAM NC, commission regulation (EU) No 984/2013).

If your company uses or plans to use capacities at the cross-border point Waidhaus, you will be given the opportunity to send us your remarks, objections and proposals on the rules for matching, allocation and communication procedures. Please send your answer to e-mail address capacitybooking@net4gas.cz by 22nd February 2017.

Yours sincerely,
NET4GAS, s.r.o.

Attachment: Designated 3rd Amendment of the Interconnection Agreement Waidhaus MEGAL (8 pages)

Amendment 3
Interconnection Agreement Waidhaus MEGAL
dated 1 October 2007 in the version of Amendment 2
dated 8 June 2015

Agreement between

NET4GAS, s.r.o.
Na Hřebenech II 1718/8
14021 Praha 4 - Nusle
Czech Republic
Identification No.: 272 60 364
registered in the Commercial Register at the Municipal Court in Prague, section C,
enclosure 108316
-hereinafter referred to as "N4G"-

and

GRTgaz Deutschland GmbH
Zimmerstraße 56
10117 Berlin
Germany
-hereinafter referred to as "GRTgaz D"-

and

Open Grid Europe GmbH
Kallenbergstraße 5
45141 Essen
Germany
-hereinafter referred to as "OGE"-

hereinafter referred to individually as "Party"
or collectively as "Parties"

Preamble

In accordance with the obligation to implement special deadlines for the scheduling of messages according to the “Network Code on Gas Balancing of Transmission Networks” (BAL NC, commission regulation (EU) No 312/2014) and the obligation to allow single-sided Nomination at Interconnection Points on the basis of the “Network Code on Capacity Allocation Mechanisms in Gas Transmission Systems” (CAM NC, commission regulation (EU) No 984/2013) the Parties agree to modify the “Interconnection Agreement Waidhaus MEGAL” dated 1 October 2007 in the version of the Amendment 2 dated 8 June 2015 (hereinafter “IA”).

The Parties are aware that “Amendment 1 to the Interconnection Agreement Waidhaus – MEGAL dated 1 October 2007” signed on 29 July 2010 will become obsolete with entry into force of this Amendment agreement. Amendment 1 to the IA only deals with the amendment of Number 3 of Annex 3 IA, as does this Amendment to the IA.

Article 1

The modifications of the IA shall enter into force as and from 01 January 2017.

Article 2

The following definitions shall be added to Article 1 – Definitions IA:

“Active Shipper: shall mean the Shipper who is sending the Single-sided Nomination to the Active System Operator;

Active System Operator: shall mean the system operator receiving the Single-sided Nomination from the Active Shipper at the IP;

DELORD: shall mean a notification about the Shippers’ Nominations and/or Renominations regarding each corresponding Shipper Code Pair at the IP;

DELORD ANC: shall mean a notification which informs about the Nomination via a Single-sided Nomination or Renomination for a respective Shipper Code Pair at the IP also containing a timestamp reflecting the time and date on which notification of the respective Shipper Code Pair was submitted by the Shipper;

Exceptional Event: shall have the meaning as defined in Article 2 letter a) of Commission Regulation (EU) 2015/703 of 30 April 2015 establishing a network code on interoperability and data exchange rules (NC INT);

Initiating Transmission System Operator: shall have the meaning as defined in Article 2 letter b) NC INT;

Matched Quantity: shall mean the quantity of Gas in kWh resulting from the Matching Process;

Matching Process: shall have the meaning as defined in Article 2 letter d) NC INT;

Matching Transmission System Operator: shall have the meaning as defined in Article 2 letter e) NC INT;

N4G Shipper: shall mean an entity having a Transmission Contract with N4G;

OGE/GRTgaz D Shipper: shall mean an entity having a Transmission Contract with GRTgaz D or OGE;

Passive Shipper: shall mean the counterparty of the Active Shipper and, if Singlesided Nomination is agreed between the two Shippers, not supposed to nominate quantities to the Passive System Operator;

Passive System Operator: shall mean the system operator on the other side of the IP to the Active System Operator and on the same side of the Passive Shipper;

(Re-) Nomination Deadline H0: shall mean the deadline for Shippers to submit (Re-) Nominations to their respective System Operators for use on Gas Day D;

Shipper Code Pair: shall mean a combination of two Shipper Codes being counterparties at the IP;

Single-sided Nomination: shall mean that no corresponding Nomination or Renomination is intended nor expected to be transmitted by the Passive Shipper to the Passive System Operator;”

Article 3

Number 3 of Annex 3 IA shall be deleted and replaced by the following text:

“3. Schedules and messages

The Nomination and Matching Process shall be performed on the basis of the EASEE-gas Common Business Practice (CBP) 2014-001/01 “Harmonization of the Nomination and Matching Process for Double-Sided and Single-Sided Nomination” and shall contain hourly and directional values.

OGE and GRTgaz D shall act as Active System Operators and N4G shall act as Passive System Operator.

N4G shall act as Initiating Transmission System Operator, OGE and GRTgaz D shall act as Matching Transmission System Operator.

3.1 Application of DELORD ANC

If a N4G Shipper submits a Single-sided Nomination or Renomination for the respective Shipper Code Pair at the IP to OGE/GRTgaz D, OGE/GRTgaz D shall as soon as reasonably possible forward the Nomination or Renomination via DELORD ANC to N4G but no later than H0+5 min.

If the respective Shipper Code Pair nominated by a Single-sided Nomination or Renomination is not authorized between N4G and the respective N4G Passive Shipper, N4G shall reject the affected Shipper Code Pair.

3.2 Approval procedure – matching

The Parties match Nominations and Renominations in kWh/h.

The Parties match Nominations and Renominations in order to check whether a quantity nominated by a N4G Shipper at the IP is identical to the quantity nominated or renominated by a OGE/GRTgaz D Shipper for the respective Shipper Code Pair.

If a Nomination or Renomination by a N4G Shipper is identical to the Nomination or Renomination by a OGE/GRTgaz D Shipper, matching is done and the quantity is declared as the Matched Quantity for the respective Shipper Code Pair.

If a Nomination or Renomination for the respective Shipper Code Pair by a N4G Shipper differs from the Nomination or Renomination by a OGE/GRTgaz D Shipper, the Parties shall immediately inform each other of the discrepancy and if the difference is not solved, the Matched Quantity shall be equal to the smaller of the quantities.

3.3 Matching schedule

The Parties hereby agree on application of the following schedule for mutual communication.

3.3.1 DELORD

a) Notification procedure

In case N4G Shippers nominate before 14:00 on D-1, N4G shall issue DELORD to OGE/GRTgaz D as soon as reasonably possible, but no later than 14:45 on D-1. In case N4G Shippers renominate between 14:00 and 16:00 on D-1, N4G shall issue DELORD to OGE/GRTgaz D as soon as reasonably possible, but no later than 16:45 on D-1.

In case N4G Shippers renominate after 16:00 on D-1, N4G shall also issue DELORD as soon as reasonably possible, but no later than 75 minutes before the Renomination becomes effective (within two hours from the Renomination Deadline H0).

b) Fallback

For matching purposes, the last sent DELORD shall be used.

In case that N4G does not issue DELORD for the Gas Day, OGE respectively GRTgaz D contact N4G to clarify the problem. If the problem cannot be solved within the matching cycle the Nominations or Renominations regarding respective Shipper Code Pairs at the IP for the Gas Day shall be deemed zero.

3.3.2 DELRES

a) Notification procedure

In case OGE/GRTgaz D Shippers nominate before 14:00 on D-1 or a DELORD has been received, OGE/GRTgaz D shall issue DELRES to N4G as soon as reasonably possible but no later than 15:30 on D-1.

In case OGE/GRTgaz D Shippers nominate between 14:00 and 16:00 on D-1 or a DELORD has been received, OGE/GRTgaz D shall issue DELRES to N4G as soon as reasonably possible but no later than 17:30 on D-1.

In case OGE/GRTgaz D Shippers renominate after 16:00 on D-1 or DELORD has been received, OGE/GRTgaz D shall issue the DELRES as soon as reasonably possible, but no later than 30 minutes before a Renomination becomes effective (within two hours from the Renomination Deadline H0).

b) Fallback

For matching purposes, the quantities of the last sent DELRES shall be used.

In case OGE or GRTgaz D do not issue DELRES for the Gas Day N4G contacts OGE respectively GRTgaz D to clarify the problem. If the problem cannot be solved within the matching cycle, the Nominations or Renominations regarding respective Shipper Code Pairs at the IP for the Gas Day shall be deemed zero.

3.4 Daily steering report

GRTgaz D sends a Transport Instruction to OGE as soon as possible after the matching confirmation, i.e. DELRES has been sent to N4G.

OGE sends a daily steering report to N4G and GRTgaz D (for the information of all Parties) including the sum of all confirmed quantities of the matching confirmed by OGE, the sum of all confirmed quantities of the matching confirmed by GRTgaz D and the total sum as soon as possible but no later than H0+90 min and additionally at 16:00 h on D-1.

In case of differences between the exchange quantities of the steering report and the DELRES the Parties will inform/contact each other in order to clarify the differences.

3.5 Fallback and general remarks

It is also agreed that the last applicable Nomination, which has been sent before a Nomination deadline shall be taken into account. This principle of “buffering Nominations” will be used throughout the whole process.

If there is any major system breakdown the Parties shall agree on a provisional steering program.

In all messages, exchanges about gas quantities shall be based on a Gas Day (6h-6h Local European Time) and these exchanges shall include the respective hourly quantities. In accordance with the EASEE-gas rules the Parties agree to have a Matching Process on the basis of hourly and directional quantities.

For the balancing of the Operational Balancing Account the Parties use a separate Shipper Code Pair.”

Article 4

Article 3.5.3 and 3.5.4 IA shall be deleted and replaced by the following text:

“3.5.3 Furthermore, the Parties agree that in cases of an Exceptional Event and in particular after the completion of the matching process the Parties shall have the right to revise the transmission schedule by rescheduling the quantities of the respective Shipper(s) and applying a new matching process, according to Art. 3.4.

3.5.4 Upon occurrence of an Exceptional Event according to Art. 3.5.3 the involved Party shall inform the other Parties about the daily quantities available and the adjusted quantities of each involved Upstream and Downstream Shipper as soon as possible. A notice with rescheduled quantities shall be also sent by the involved Party to the respective Shipper(s). The Parties shall immediately implement all necessary measures in order to comply with the revised transmission schedule.”

Article 5

The Parties agree that No 4 of the side letter dated 24 January 2012 shall not be applicable anymore.

Prague,

NET4GAS, s.r.o.

Berlin,

GRTgaz Deutschland GmbH

Essen,

Open Grid Europe GmbH