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**EREG Public Consultation Paper**  
**Ref: E10-GWG-68-03**  
**8 September 2010**  
**“Existing transparency requirements for**  
**Natural gas”**

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**Introduction:**

GSE welcomes the opportunity to take part in EREG’s Public Consultation related to existing – binding and voluntary - transparency requirements for natural gas regarding the evaluation of possible market needs for additional transparency requirements.

Although the questions within the circulated document seem to primarily aim for responds of storage users, GSE, representing European storage operators, would also like to state the following from a general point of view:

**GSE Position:**

- **Upcoming 3<sup>rd</sup> Energy Package Implementation:**

According to the 3<sup>rd</sup> Energy Package the implementation of grave transparency provisions for SSOs is envisaged. The implementation has started but is not yet finished. Thus the actual survey cannot yet take these improvements into account. It might be expected that such a survey takes place before or after the set up of a new legal framework but not in the process of its implementation. We feel that this survey is therefore inconsistent with the Commissions and Parliaments intention and time schedule and therefore cannot reflect the true market situation as it will be due to the 3<sup>rd</sup> Energy Package.

Accordingly especially the first and second question of the Public Consultation seem inappropriate. Before making any conclusions out of the received responses, a transparent review, taking into account the awaited 3<sup>rd</sup> Energy Package implementation, will be necessary.

- **GGPSSO and AGSI have already been realized on voluntary basis:**

In the past SSOs have already endeavored to realize transparency for storage users on a voluntary basis. The result was the implementation of the GGPSSO including major transparency provisions (Art 6), a European Storage Map ([http://www.gie.eu/maps\\_data/storage.html](http://www.gie.eu/maps_data/storage.html)) and the set up of a data platform on the GSE homepage showing the Aggregated Gas Storage Inventory (AGSI, <https://transparency.gie.eu.com/>). This information and tools are already today available for

storage users and are giving a transparent view on the location, availability and actual use of storages within Europe. The data platform has recently even been migrated from weekly to daily data.

The 3<sup>rd</sup> Energy Package made most voluntary publications now legally binding. As one of the declared targets of the 3<sup>rd</sup> Energy Packages was to put the GGPSSO on a legally binding basis it is unclear to us what further voluntary publications should get legally binding. The third and fourth question of ERGEGs Public Consultation therefore seem redundant. It is to be highlighted that the voluntary work and endeavors of Europe's SSOs to enhance Transparency should not be discouraged by an overwhelming and legal framework making them stick to the given rules and not to their customer's demands.

- **Necessary criteria for the evaluation of reasonable market needs for further transparency:**

GSE assumes that a very high level of transparency has already been achieved and might even be improved implementing the 3<sup>rd</sup> Energy Package. The feedback of the users of the GSE platform is very positive and it should be mentioned that it is not storage users in the first line using the transparency tools but investment banks and consultants. Thus it is to be taken into account who would in fact profit on further transparency and who should profit on it.

Furthermore it needs to be clearly stated that detected possible market needs for further transparency cannot be fulfilled irrespective of the following criteria:

- Sensitivity of data
- Administrative effort
- Cost of implementation and maintenance

Only if these criteria are put in relation with the possible use of the achieved data - to whatever data-user - a reasonable market need can be evaluated.

- **Improvement of data accessibility and aggregation instead of simple data collection:**

Transparency should not primarily focus on the disclosure of more data but on the information and content which is generated. The GSE Aggregated Gas Storage Inventory shows very well, that data, which is in general freely available for all users, but is aggregated in the right way, has value added information. Thus we suggest that member states should develop tools for a better user-access to already available data.

Finally it is to be stated that there are also transparency requirements from a SSOs point of view. Consultations made by the Authorities/Regulators may usually involve the information of all stakeholders but it is unclear how their input is weighted or taken into account for the final decision. For the future we expect clearly defined criteria and to what extent such criteria need to be fulfilled to trigger a decision. As reference tendering processes according to procurement provisions may be mentioned.