

GIE response to CEER's public consultation on CEER 2013 Work Programme

1. Introduction

GIE welcomes CEER's consultation of its 2013 Work Programme. GIE is glad to contribute to this public consultation with its views.

2. Who is GIE?

Gas Infrastructure Europe (GIE) is an association representing the sole interest of the infrastructure industry in the natural gas business such as Transmission System Operators, Storage System Operators and LNG Terminal Operators. GIE has currently 70 members in 25 European countries.

One of the objectives of GIE is to voice the views of its members vis-à-vis the European Commission, the regulators and other stakeholders. Its mission is to actively contribute to the construction of a single, sustainable and competitive gas market in Europe underpinned by a stable and predictable regulatory framework as well as by a sound investment climate

3. General statements

- a. GIE considers that additional clarification and clear definition of roles and responsibilities between ACER and CEER would be desirable. The current situation where sometimes ACER and CEER are represented by the same person in public events or where CEER speaks about topics which, in principle, are only responsibility of ACER (or vice-versa), might generate a substantial level of confusion among market stakeholders. GIE would also suggest that ACER and CEER should better align the working plans for tasks related with each other. (e.g. CEER's discussions on incremental capacity procedures and the tariffs issues for incremental capacity in the Framework Guideline for Tariff)
- b. Regarding the CEER monitoring exercise "Report on the Implementation of Transparency Rules according to Art. 19 Regulation (EC) 715/2009", GIE would like to underline that this exercise is already being done by ACER through the Gas Regional Initiatives, where in some regions a monitoring exercise of the implementation of Article 19 for both LSOs and SSOs has already been conducted. Moreover, GSE has commissioned an external consultant to carry out an independent monitoring of Art 19 implementation by storage operators and to present its results to the Madrid Forum. GSE remains ready at all times to discuss with CEER the possible further improvement of transparency as regards storage, taking into account the conclusions of the mentioned monitoring exercise.
- c. GIE would also like to remind that the GGPSSO are also voluntary, and it is important that CEER keep this in mind when conducting any surveys of compliance. This suggests that CEER's review might focus more on customer/market participant satisfaction with the transparency levels, mix of storage products, access to storage, etc. rather than compliance with what in some cases are unclear provisions within the GGPSSO.
- d. GIE believes that it is still too early to carry out the monitoring report on the implementation of the Gas Target Model (GTM). GIE would like to remind that the GTM is not a binding model and therefore, its implementation is on a voluntary basis; furthermore some of its elements

are still currently under discussion (e.g. sunset clause) and could be amended later on, taking into account the several Network Codes that will come in the near future.

- e. The development of the LNG Transparency Template was welcomed by GIE/GLE and GLE members are working hard to implement it on their websites to facilitate access to information to LNG terminals users. However, GIE/GLE would like to point out that the implementation of the Transparency Template was done on a voluntary basis and that this tool is not requested by the 3rd Package LNG provisions.
- f. The revision of the guidelines for Open Seasons (OS) can be considered as a good step forward, but GIE recommends that this revision takes into account the work in progress which is being made about incremental capacity.
- g. Finally, GIE would like to highlight that CEER has been consulting on its draft work programme during several years. However, it could be very positive step to publish at the end of the year an evaluation report (maybe as part of the annual report) presenting the initial approved work programme and showing what has been really achieved (or not) during the year.