

EU Tariffs Code Update

December 2015

EU Tariffs Code

- **13 October:** ACER decided not to submit a formal Recommendation on TAR NC at Board of Regulators meeting
- **14-15 October:** Madrid Forum
 - No presentations given on TAR NC due to ACER not agreeing a Recommendation
 - EC still to proceed with comitology process on TAR NC in Q1 2016

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- **14-15 October:** Madrid Forum
 - EC stated:
 - Code should be as ambitious as possible but also realistic
 - Transparency is the key issue from stakeholders
 - Timescales for development to remain the same
 - Will involve ENTSOG and ACER in further development

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- **20 October:** Informal Member State Meeting
 - Discussion on content of the TAR NC
 - PwC/Strategy& Impact Assessment was presented
 - Member States asked to outline their concerns
 - EC next steps:
 - EC to look at “10 main issues.”
 - Look at proposals to be included over next few weeks
 - Aim for revised code text for beginning of December

Impact Assessment on EU Tariffs Code

■ Impact Assessment now published

- https://ec.europa.eu/energy/sites/ener/files/documents/20151008_IA%20-%20TAR%20Gas_Final_Report_vf.pdf
- Study done for EC by Strategy&/PwC
- Preferred policy options in study closely align with TAR NC
- EC will create separate IA based on this study but likely to prefer different policy options
- EC IA should be ready for mid-January

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- **6,10 & 23 November:** Trilateral meetings between EC, ACER & ENTSOG on potential changes to TAR NC
 - EC outlined their proposed changes
 - ENTSOG and ACER inputted into the proposals
- **15 December 2015:** EC to hold an open informal information session on the key changes to the Tariff Code.

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- **End February 2016:** EC to publish the revised text of the code in the comitology register.
- **10-11 March 2016:** pre-comitology meeting of Member States (where the English language texts will be discussed).
- **28-29 April 2016:** First formal comitology meeting (using the translated texts) where Member States will formally propose any amendments.

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- **29-30 June 2016:** 2nd formal comitology meeting where EC will present revised text and a vote on the Tariff Code and CAM amendment is expected.
- **EC has no plan for a 3rd Comitology Meeting**
- **Process aims for completion by end 2016**

EU Incremental Amendment Update

Incremental Amendment to CAM

- **13 October:** ACER Board of Regulators approved revised text
- Proceeding through process on same timeline at TAR NC
- Although latest text is improved, ENTSOG still has some concerns
 - Need to protect option to offer fixed price in order to have a meaningful incremental test.
 - Offer period for incremental capacity must be fully aligned to that of existing capacity
 - Incremental processes (design phase) should be triggered at any time where non-binding demand indications are deemed sufficient to justify a dedicated project (this was foreseen in earlier drafts)
 - There should be more flexibility in when the alternative allocation mechanism can be used