

Notice on the HUAT incremental capacity project proposal

Subject: Incremental capacity project proposal for the Mosonmagyaróvár interconnection point

A procedure has been launched on 9 April 2018 between E-Control and the Hungarian Energy and Public Utility Regulatory Authority (MEKH) on the coordinated approval of the incremental capacity project proposal for the Mosonmagyaróvár interconnection point submitted by the two adjacent TSOs, namely Gas Connect Austria (GCA) and FGSZ ltd., in accordance with Art. 28 (1) and (2) of the Commission Regulation 2017/459.

By 16 October 2018, the Agency for the Cooperation of Energy Regulators (“the Agency”) was notified by E-Control and MEKH of the lack of agreement by 9 October 2018 between the concerned National Regulatory Authorities (i.e., the Austrian and the Hungarian regulatory authorities) with regard to incremental capacity project proposal for the Mosonmagyaróvár interconnection point.

According to Article 8(1)(a) of Regulation (EC) No 713/2009:

“For cross-border infrastructure, the Agency shall decide upon those regulatory issues that fall within the competence of national regulatory authorities, which may include the terms and conditions for access and operational security, only:

- a) where the competent national regulatory authorities have not been able to reach an agreement within a period of six months from when the case was referred to the last of those regulatory authorities; or*
- b) upon a joint request from the competent national regulatory authorities.*

The competent national regulatory authorities may jointly request that the period referred to in point (a) is extended by a period of up to six months.”

According to Article 8(3) of Regulation (EC) No 713/2009, where a case has been referred to the Agency, the Agency shall provide its decision within a period of 6 months from the day of referral; namely, in the case of HUAT, by 9 April 2019.

Third parties are invited to send any observations they may have on the subject of the incremental capacity project proposal for the Mosonmagyaróvár interconnection point to the case coordinator in the Agency Mr. B. Nitzov via the email addresses huat@acer.europa.eu, Boyko.Nitzov@acer.europa.eu, and Nico.Keyaerts@acer.europa.eu , by 18 January 2019.

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