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**OPINION OF THE AGENCY FOR THE COOPERATION OF ENERGY
REGULATORS No 20/2013**

of 9 October 2013

**ON A HARMONISED FORMAT FOR THE PUBLICATION OF
TECHNICAL INFORMATION NECESSARY FOR NATURAL GAS
NETWORK USERS BY TRANSMISSION SYSTEM OPERATORS AND BY
THE EUROPEAN NETWORK OF TRANSMISSION SYSTEM OPERATORS
FOR GAS (ENTSOG)**

THE AGENCY FOR THE COOPERATION OF ENERGY REGULATORS,

HAVING REGARD to Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005¹, amended by Commission Decision of 10 November 2010² and by Commission Decision of 24 August 2012³, and, in particular, point 3.1.1(1)(e) of Annex I thereof,

WHEREAS:

- (1) Articles 18 and 20 of Regulation (EC) No 715/2009 lay down a number of general transparency requirements in relation to the information published by transmission system operators, in particular regarding the services they offer and the relevant conditions applied, together with the technical information necessary for network users to gain effective access to their networks.
- (2) Pursuant to Article 23(1)(c) of Regulation (EC) No 715/2009, Chapter 3 of Annex I to the same regulation lays down guidelines with respect to transmission system operators in relation to the provision of information, the definition of the technical information necessary for network users to gain effective access to the system and the definition of all relevant points for transparency requirements, including the information to be published at all relevant points and the time schedule for the publication of that information. These guidelines refer, among other aspects, to the form of publication and the format under which data shall be made available by transmission system operators on their websites, and also by ENTSOG in its Union-wide central platform (hereinafter referred to as the “Transparency Platform”) as of 1 October 2013, according to point 3.1.1(1)(h) of Annex I to Regulation (EC) No 715/2009.

¹ OJ L 212, 14.8.2009, p. 36.

² OJ L 293, 11.11.2010, p. 67.

³ OJ L 231, 28.8.2012, p. 16.

- (3) National regulatory authorities are responsible for ensuring compliance with Regulation (EC) No 715/2009 and with the Guidelines adopted pursuant to its Article 23, according to Article 24 of the same regulation.
- (4) Point 3.1.1(1)(e) of Annex I to Regulation (EC) No 715/2009 establishes that gas transmission system operators shall provide all information referred to under point 3.1.2 and point 3.3(1) and 3.3(5) of Annex I to Regulation (EC) No 715/2009 in a downloadable format that has been agreed between transmission system operators and the national regulatory authorities - on the basis of an opinion on a harmonised format that shall be provided by the Agency - and that allows for quantitative analyses.
- (5) Points 3.1.2 and 3.3(1) to 3.3(5) of Annex I to Regulation (EC) No 715/2009 refer to information on the system and services of transmission system operators, data to be published at all relevant points on services and ancillary services provided, including technical capacity, contracted firm and interruptible capacity, nominations and re-nominations, available firm and interruptible capacity, actual physical flows, planned and actual interruptions of interruptible capacity, planned and unplanned interruptions and restoration of firm services, measured values of the gross calorific value or the Wobbe index and information for the purpose of monitoring congestion at interconnection points and assessing the effect of the application of congestion management procedures.
- (6) Over the first half of 2013, ENTSOG has provided detailed information to the Agency, at its request, regarding the envisaged format of data publication on its Transparency Platform and the expected implementation steps until 1 October 2013, in order to comply with point 3.1.1(1)(h) of Annex I to Regulation (EC) No 715/2009.
- (7) ENTSOG has also informed the Agency that further work on transparency will be carried out during the last quarter of 2013 and the year 2014, taking into account the feedback from market participants and network users in order to improve data quality and functionalities in an enhanced Transparency Platform expected to be operational by the end of 2014.
- (8) The Agency published on 9 April 2013 the report “Monitoring of Gas Transparency requirements. TSOs’ compliance with Chapter 3, Annex I of Regulation (EC) No 715/2009”⁴ which included recommendations to transmission system operators and to ENTSOG on transparency and data publication.
- (9) The Network Code on Interoperability and Data Exchange, under development by ENTSOG, will contain a chapter on Data Exchange with general provisions in relation to the exchange of data between transmission system operators, as well as for the exchange of data with network users, and will lay down common solutions for electronic data exchanges arising from Regulation (EC) No 715/2009. Other forthcoming Network Codes in areas such as Capacity Allocation Mechanisms, Gas

⁴ <http://www.acer.europa.eu/Media/News/Pages/ACER-observes-high-compliance-with-gas-transparency-requirements-but-full-conformity-still-to-be-achieved.aspx>

Balancing and Harmonised Transmission Tariff Structures are also expected to include additional provisions regarding the publication of data related to gas transmission networks and markets,

HAS ADOPTED the present Opinion:

1. General comments

- 1.1. The Agency acknowledges the work undertaken by transmission system operators and ENTSOG and the significant efforts made over the last years aimed at increasing the information provided to network users and market participants and in order to comply with the transparency provisions set out in Regulation (EC) No 715/2009, in particular with the specific requirements from Chapter 3, Annex I thereof.
- 1.2. The Agency welcomes the cooperative and constructive approach by ENTSOG in providing the Agency with all available information and supporting materials in relation to the upgrade of its Transparency Platform, in view of its compliance with point 3.1.1(1)(h) of Annex I to Regulation (EC) No 715/2009. The Agency also appreciates ENTSOG's efforts in providing clarifications about the information submitted in view of the preparation of this opinion, at the Agency's request. The Agency notes as well the contribution of transmission system operators and national regulatory authorities in providing all requested information in the course of the transparency analyses developed by the Agency in recent years.
- 1.3. The Agency recognises that the availability of data in ENTSOG's Transparency Platform as of 1 October 2013 is a joint effort and a shared responsibility between ENTSOG, who has to establish the platform and have it operational by that deadline, and the transmission system operators, who are responsible for the provision of data in the form and with the content established by the guidelines from Chapter 3, Annex I of Regulation (EC) No 715/2009. National regulatory authorities have to ensure that the respective transmission system operators comply with those guidelines. The Agency invites ENTSOG to continue requesting the involvement of all transmission system operators in the Transparency Platform. The transmission system operators, in turn, should strive to perform their obligation to provide their respective data to ENTSOG in a way that allows for the Transparency Platform to accommodate such data and make it available in an easily accessible and user-friendly manner.
- 1.4. The following recommendations refer generally to all aspects which the Agency believes to relate - directly or indirectly - to the format of data publication, including the file formats for data download, the format of quantitative data published (data specifications), modalities of data acquisition (manual/automatic, push/pull), requirements for users in order to have manual/automatic access to data published, user interface, possibility to download data in visual formats, data quality and granularity and timeliness of information published (frequency of

- publication, refreshment and notification of new or updated information to network users).
- 1.5. Generally, the format of data publication in the websites of transmission system operators and in ENTSOG's Transparency Platform has to be in accordance with the requirements regarding the form of publication, established in point 3.1.1 of Annex I of Regulation (EC) No 715/2009, and should be adapted to the contents that need to be published, specified in points 3.1.2 and 3.3 of the referred annex.
 - 1.6. The Agency will rely on the information published on ENTSOG's Transparency Platform in order to obtain relevant data for the purpose of performing some of its tasks, such as the preparation of its annual market monitoring report on the internal electricity and natural gas markets, pursuant to Article 11(2) of Regulation (EC) No 713/2009 and the elaboration of the monitoring report on congestion at interconnection points, pursuant to point 2.2.1(2) of Annex I of Regulation (EC) No 715/2009. The Agency may also make use of the information available on the Transparency Platform for performing other tasks and functions assigned to the Agency in the EU legislation.
 - 1.7. The Agency encourages transmission system operators and national regulatory authorities to take into account the recommendations and the guidance laid down in this Opinion when agreeing on the downloadable format for data publication pursuant to point 3.1.1(1)(e) of Annex I to Regulation (EC) No 715/2009.

2. The format

- 2.1. According to the information received from ENTSOG for the preparation of this Opinion, the file formats which will be available for downloading data from the Transparency Platform will be Microsoft Excel-compatible spreadsheets (.xls) and plain-text comma-separated values files (.csv), for direct downloads from the website, as well as Extensible Markup Language format (.xml) for automatic downloading of data from the platform. The Agency believes that the choice of these formats is in line with the requirement of data being downloadable by network users, as established in point 3.1.1(1)(e) of Annex I to Regulation (EC) No 715/2009, and in addition provides the users with sufficient flexibility so that they can choose the modality that they prefer according to their needs and IT resources, without having to rely on software from one particular firm.
- 2.2. Regarding the format of quantitative data published and data specifications, ENTSOG has provided the Agency with a description of how each item from point 3.3 of Annex I of Regulation (EC) No 715/2009 will be published, including the applicable units and names of the indicators in the Transparency Platform. In view of the information provided, the Agency considers that the data formats allow for quantitative analyses by network users, which is in line with point 3.1.1(1)(e) of Annex I to Regulation (EC) No 715/2009.

- 2.3. According to the information provided to the Agency, ENTSOG's Transparency Platform allows for two modalities of data acquisition: manual, at the user's request; and automatic, via an Automatic Download Tool, to which access can be requested by users. In the first case, a pull technology is applied - the data is retrieved at the user's request - whereas the second modality works under a push technology - the data is automatically downloaded or "pushed" out to the user. The Agency deems positive that the Transparency Platform offers both ways to get data and invites ENTSOG to inform all users about the possibility and conditions in order to have access to the automatic download modality in a public, non-discriminatory way.
- 2.4. In terms of requirements for the users to have access to the Transparency Platform, according to the information provided by ENTSOG no registration will be necessary for manual access to data and no additional programmes or licenses will need to be purchased by the user. This is in line with the requirement from point 3.1.1(1)(a) of Annex I to Regulation (EC) No 715/2009, for information to be published free of charge and without any need to register. For the usage of the Automatic Download Tool, registration will be required due to security and administrative reasons.
- 2.5. In relation to the interface and functionalities available to the users, the Transparency Platform offers the possibility to select information corresponding to certain interconnection points, routes between two points and a specific direction of the flow, the network of a chosen transmission system operator and interactive maps for technical and commercial information per interconnection point and operator. A Download Wizard offers the possibility to download specific data of several points at once. The Agency welcomes this range of functionalities and recommends ENTSOG that these functionalities allow the user to download all relevant historical information for each and every interconnection point, for the past 5 years on a rolling basis as set out in point 3.3(4) of Annex I to Regulation (EC) No 715/2009, as well as all data for a period of at least 18 months ahead, where applicable as set out in point 3.3(2) of the same Annex.
- 2.6. The Agency also recommends that the aforementioned data is provided to the users, when meaningful and technically possible, in a visual way in the form of graphs and charts, as well as maps where relevant.
- 2.7. In relation to data quality and granularity, given the significant variety in the quality of information published and taking into account the concerns expressed by network users during past exercises of transparency monitoring⁵, the Agency invites individual transmission system operators and ENTSOG to make a best effort in order to match the needs of network users and publish information with the highest possible granularity and level of detail.

⁵ Annex 2 "Outcome of stakeholder public consultations in 2012" of ACER report "Monitoring of Gas Transparency requirements. TSOs' compliance with Chapter 3, Annex I of Regulation (EC) No 715/2009".

- 2.8. In particular, as regards the timeliness of information published and its frequency of publication, according to the information provided to the Agency, the current frequency of upload and update of information differs among various transmission system operators, depending on their readiness to update data as soon as available. In order to comply with the requirement from paragraph 1 of point 3.3(1)⁶ of Annex I to Regulation (EC) No 715/2009, the Agency encourages transmission system operators - with the involvement of ENTSOG - to pursue further harmonisation in that respect, by agreeing on a minimum frequency for the simultaneous publication of near real-time data on the individual TSO websites and on the Transparency Platform. The minimum frequency should be the highest possible one, taking into account the actual availability of data to the transmission system operators and the technical limitations of the IT systems and of ENTSOG's Transparency Platform. The agreed minimum frequency should be notified to national regulatory authorities and communicated to network users.
- 2.9. The Agency recommends that the data published on the Transparency Platform provides a clear indication to the users of the date and time of its publication, and that the Transparency Platform offers to the users the possibility to subscribe to specific contents and be notified of any change or update in the information published.
- 2.10. The specifications for data transfers between transmission system operators and ENTSOG, automatic access to data by users and general use of the Transparency Platform are laid down in a set of documents produced and periodically updated by ENTSOG⁷. The Agency invites ENTSOG to update these documents in view of the upgrade of the Transparency Platform envisaged as of 1 October 2013, communicate this update to the users and to the Agency and make available all documents publicly on its website. The Agency also recommends ENTSOG to notify users of any future update or new version of these documents as soon as it is released.
- 2.11. As regards the publication of data on the individual websites of transmission system operators, the Agency notes that, following the recommendations of its report "Monitoring of Gas Transparency requirements. TSOs' compliance with Chapter 3, Annex I of Regulation (EC) No 715/2009", of 9 April 2013, an increasing number of operators are publishing information in a standard way within a specific section of their websites dedicated to the publication of the data listed in points 3.1.2, 3.2 and 3.3 of Annex I to Regulation (EC) No 715/2009. This standardised section follows the same structure of the referred Annex and is based on a template developed by TSOs under the coordination of ENTSOG,

⁶ This paragraph establishes that the information and updates of data listed in points 3.3(1)(a) to (g) of the Annex shall be published as soon as available to the system operator ("near real time").

⁷ Transparency Platform TSO Manual, Transparency Platform User Manual and Transparency Platform Automatic Download User Manual. This Automatic Download User Manual is provided to every user that requests access the Automatic Download Tool and will soon be published for the new upgraded Transparency Platform. The current version of the User Manual is published at:
http://www.gas-roads.eu/gte_tp/library/conf/pdf/ENTSOG-TP_User-Manual_V2.0.pdf

consisting of three columns, indicating respectively the applicable legal requirement of Annex I to Regulation (EC) No 715/2009, the direct link to the corresponding section of the TSO's individual website and complementary information about the requirement (e.g. exemptions, definitions, country/TSO specific interpretations). This standard template was presented by ENTSOG to the 23rd Madrid Forum on 17 April 2013 and is attached as an annex to this opinion. ENTSOG has recommended to TSOs to implement this template on their individual websites by 1 September 2013.

The Agency welcomes this initiative for a standardised publication of data since it makes network users' access to the relevant data easier and helps national regulatory authorities identify the missing data and determine the cause of any lack of information. The Agency encourages all transmission system operators to adopt this form of standard publication of data on their individual websites, in addition to making it available on ENTSOG's Transparency Platform, and to ensure that the information can be downloaded or exported to a format that allows for quantitative analyses, as established in point 3.1.1(1)(e) of Annex I to Regulation (EC) No 715/2009. The Agency invites the national regulatory authorities to supervise that these standardised sections are user-friendly and regularly check their completeness in order to ensure that all applicable information is made available to network users.

This opinion is based mainly on the information provided by ENTSOG to the Agency for the preparation of this Opinion, in view of the establishment of its Transparency Platform as of 1 October 2013. The views expressed in this Opinion are without prejudice of further recommendations and/or remarks by the Agency on ENTSOG's Transparency Platform after it comes live on 1 October 2013.

Done at Ljubljana on 9 October 2013.

For the Agency:



Alberto Pototschnig
Director

Annex:

Standard template for data publication by transmission system operators

Annex to the Opinion of the Agency for the Cooperation of Energy Regulators (ACER) on a harmonised format for the publication of technical information necessary for natural gas network users by transmission system operators and by the European Network of Transmission System Operators for Gas (ENTSOG)

Standard template for data publication in transmission system operators' websites

Presented by ENTSOG at the 23rd Madrid Forum on 17 April 2013

Annex I to Regulation (EC) 715/2009	Link	Further Information
3.1.2 a) A detailed and comprehensive description of the different services and their charges	<u>Link to the information of the TSO individual website!</u>	
3.1.2 b) u. c) 1. Different transportation contracts and other significant documents	<u>Link to the information of the TSO individual website!</u>	
3.1.2 c) Network code / standard conditions	<u>Link to the information of the TSO individual website!</u>	
3.1.2 c) 2. Specification of relevant gas quality parameters	<u>Link to the information of the TSO individual website!</u>	
3.1.2 c) 3. Pressure requirements	<u>Link to the information of the TSO individual website!</u>	
3.1.2 c) 4. Procedure in the event of an interruption of interruptible capacity	<u>Link to the information of the TSO individual website!</u>	
3.1.2 d) Harmonised procedures applied when using the transmission system, including the definition of key terms	<u>Link to the information of the TSO individual website!</u>	
3.1.2 e) Provisions on capacity allocation, congestion management and anti-hoarding and reutilisation procedures	<u>Link to the information of the TSO individual website!</u>	
3.1.2 f)		



Annex I to Regulation (EC) 715/2009	Link	Further Information
Rules applicable for capacity trade on the secondary market vis-à-vis the transmission system operator	<u>Link to the information of the TSO individual website!</u>	
3.1.2 g)		
Rules on balancing and methodology for the calculation of imbalance charges	<u>Link to the information of the TSO individual website!</u>	
3.1.2. h)		
Flexibility and tolerance levels included in transportation and with additional charges	<u>Link to the information of the TSO individual website!</u>	
3.1.2 i)		
Detailed description of the gas system of TSO and its relevant points of interconnection / names of the operators of the interconnected systems or facilities	<u>Link to the information of the TSO individual website!</u>	
3.1.2 j)		
Rules applicable for connection to the system	<u>Link to the information of the TSO individual website!</u>	
3.1.2 k)		
Information on emergency mechanisms	<u>Link to the information of the TSO individual website!</u>	
3.1.2 l)		
Procedures agreed at interconnection points (if relevant) relating to interoperability of the network, agreed procedures on nomination and matching procedures and other agreed procedures that set out provisions in relation to gas flow allocations and balancing	<u>Link to the information of the TSO individual website!</u>	
3.1.2 m)		
Description of the methodology and process used to calculate the technical capacity	<u>Link to the information of the TSO individual website!</u>	
3.3. (4), (5)		
Capacities, nominations and renominations, actual physical flows, gross calorific values	<u>Link to the information of the TSO individual website!</u>	



Annex I to Regulation (EC) 715/2009	Link	Further Information
3.3. (1) f)		
Planned and actual interruptions	<u>Link to the information of the TSO individual website!</u>	
3.3. (1) g)		
Planned and unscheduled interruptions	<u>Link to the information of the TSO individual website!</u>	
3.4 (1) u. (2)		
Information on secondary trading	<u>Link to the information of the TSO individual website!</u>	
3.4 (3)		
Balancing services	<u>Link to the information of the TSO individual website!</u>	
3.4 (4)		
Further flexibility service of TSO	<u>Link to the information of the TSO individual website!</u>	
3.4 (5)		
Amount of gas in the transmission system and the forecast	<u>Link to the information of the TSO individual website!</u>	
3.4 (6)		
User-friendly instruments for calculating tariffs	<u>Link to the information of the TSO individual website!</u>	





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