

**COMMENTS ON ACER'S DRAFT GUIDANCE NOTE ON THE CONSULTATION  
PROCESS**

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Eurogas welcomes the decision of ACER to develop a guidance note on its consultation process. This will provide a much needed transparent framework in which stakeholders can plan their inputs. The consultation on the contents of the note is an important step towards achieving guidelines that adequately take into account the views of stakeholders. A more transparent, organized, effective, and accountable consultation process will improve the synergies of a constructive co-operation, and the credibility of the output.

Eurogas would like to make the following comments on the draft.

### **Introduction**

1.5 ACER proposes to decide unilaterally on a review of the guidance note. Eurogas would prefer to see a commitment to review **on a regular basis**, with appropriate attention to be paid to best practices.

### **Timing**

4.3 The timing for consultations other than Framework Guidelines is, for example, an item that may need to be reviewed to see how it works out in practice. In any case the reference should be to **exceptional** circumstances. The initial timing given for response to the scoping document on tariffs was, it is recalled, too short. Stakeholders did their best to meet the deadline, which was then changed. The timing should be realistic.

### **Means and Processes**

5.1 For most stakeholders, there is an information gap to be addressed between the work of the ad-hoc expert groups advising on the contents of the Framework Guideline and the issuing of the draft Framework Guideline. The attempt with regard to the work on Interoperability to widen the access to the work of this group to Association representatives was appreciated, but in order to be able to give an effective input, an Association representative needs to have had time to consult. Therefore, Eurogas would like to see ACER introduce the use of "concept releases", reflecting work done in these ad-hoc expert groups, to be shared as soon as appropriate with the wider stakeholder circle.

The reference to questionnaire is presumably to an **online** questionnaire, but the guidelines should also clarify if other material can be submitted, within reasonable length, as background to the main submission. In any case, online questionnaires should be sufficiently flexible to allow stakeholders to express freely their views.

5.2 E-mail alerts to interested parties when a new consultation is issued are essential, because in tight consultation timing even a day or so more of awareness can help planning.

5.3 Public hearings, workshops, etc. should be available to stakeholders by webcasting.

5.4 Where the Agency is going to use, e.g. the Madrid Forum, for consultation purposes, it is essential to organize timely circulation of documents to be discussed in advance.

### **Feedback**

6.4 With regard to the mention of a possible second consultation, Eurogas would encourage its **regular use** in the two sets of circumstances mentioned. It would make sense to limit a second round consultation to essential points.

### **Other Points**

Eurogas members consider that ACER should review the organizational quality of its website, as it is not always easy to find the relevant documents. The navigational tools need to be improved.

The ENTSOG website offers a model of clarity and ease of reference in the handling of the complex layers of the consultation process.