


ACER

 Agency for the Cooperation
of Energy Regulators

The Director

Ljubljana, 24 April 2013
ACER-AP-DH-ss-2013-479

Mr. M. Klaus-Dieter Borchardt
Director
Internal Energy Market
Directorate-General for Energy
European Commission

By e-mail only

Dear Mr. Borchardt,

I follow up on my previous letter of 26 March 2013 (ref. ACER-AP-ss-2013-395) to Mr. Panek, Acting Director, in relation to the process for the development of the Framework Guidelines on rules regarding harmonised transmission tariff structures for gas. We have now examined the concerns, expressed in this letter of 15 March 2013, on the degree of harmonisation of the cost allocation methodologies used for the determination of the price for firm annual capacity products as envisaged in the current text of the Framework Guidelines, as well as the suggested amendments of the provisions on transparency, mitigating measures and definition. These aspects were also discussed in the meeting of the Board of Regulators last week.

Addressing these concerns will require a significant redrafting of Chapter 3 of the current text. This implies substantial additional work and a new public consultation of stakeholders. Therefore, I would like to request that the deadline for submitting the Framework Guidelines on rules regarding harmonised transmission tariff structures for gas is extended by eight months, to November 30th, 2013. The concerns relating to the provisions on transparency, mitigating measures and definition will be addressed by the same deadline.

In the meanwhile, I am pleased to inform you that the Board of Regulators and I have agreed not to make further substantive changes to the other parts of the Framework Guidelines on rules regarding harmonised transmission tariff structures for gas, unless these will turn out to be inevitable as a result of the redrafting of Chapter 3. I will inform ENTSOG accordingly.

Thank you for your attention. I look forward to hearing from you.

Yours sincerely,


Alberto Pototschnig

Appendix: Framework Guidelines on rules regarding harmonised transmission tariff structures for gas as informally endorsed by the Board of Regulators