Public consultation on the Capacity Allocation Mechanisms Network Code: achievements and the way forward

A Introduction

With gas markets being impacted by a global pandemic (2020) and a European energy crisis (2022), the resilience of the current market rules (also known as “network codes”) has been tested. Although they have ensured a proper market functioning (see ACER’s Market Monitoring Reports and Congestions Reports), lessons have yet to be learnt to further enhance market resilience.

The European gas market must also be ready to align with the latest policy and technological developments, guaranteeing the Green Deal’s decarbonisation targets can be met.

Against this background, the latest European Gas Regulatory Forum has emphasised the importance of having gas market rules which can adequately reflect this evolution, and therefore prompted for the revision of the capacity allocation mechanisms network code (CAM NC).

As part of ACER’s review of the Network Code for Capacity Allocation Mechanisms (‘CAM NC’), ACER is assessing the achievements of CAM NC and scoping the areas of improvement.

ACER invites stakeholders to actively participate in its review by providing feedback on the scoping of the areas of improvement as well as making reasoned proposals on further areas of improvements that could be considered for eventually amending the CAM NC.

The ACER CAM NC scoping document (‘scoping document’) contains ACER’s review of the market rules regulating gas transmission capacity allocation in Europe and proposes a scoping of areas of improvements based on ACER’s work on CAM. It serves as the main consultation document to which the questions in this survey refer.

Please send your response to the questions by 5 January 2024, 12:00 noon (CET).

We invite stakeholders to bring forward concrete and succinct reasonings. Overly lengthy responses may not be processed.

The survey was corrected on 17 November for missing questions.

The stakeholder responses will be published on the Agency’s website. If you include commercially sensitive information in your reply, please mark the parts of your answer that are confidential as well as provide a non-confidential version for publication purposes.
Please confirm that you have read the [Data Protection Notice](#).

## B General information

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<td>@gasunie.nl</td>
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<td>BBL Company</td>
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</table>
5 Please specify if other:

6 Business field:
- TSO
- DSO
- Shipper/trader
- Association
- Other

7 Please specify if other:

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C Consultation documents

Download ACER's [Scoping document](#)

Download the [cover note to the scoping document](#)

The following questions are organised per chapter and article of the CAM NC, first depicting ACER's review included in the scoping document, a question on how you assess the need for a change in the article, and a question inviting you to elaborate your answer with specific elements.

D CAM NC Preamble

<table>
<thead>
<tr>
<th>Policy paper reference</th>
<th>Nature of proposal in the policy paper</th>
<th>Area of improvement</th>
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</thead>
<tbody>
<tr>
<td>ACER. Special Report on addressing congestion in North–West European gas markets</td>
<td>- To maximise technical capacity as well as (bundled) firm capacity (cf. p. 15–17)</td>
<td>yes</td>
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<td></td>
<td>- A further strengthening of coordination between neighbouring system operators and regulatory authorities is needed, for instance, by harmonising calculation methodologies (cf. p. 16)</td>
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<tr>
<td>N/A</td>
<td>Clear recital or New article on CAM principles</td>
<td>yes</td>
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<td></td>
<td>- The core principles of capacity allocation mechanism must be explicitly defined in the NC. Allocation capacity mechanisms must guarantee the well-functioning of the internal market (GTN, guarantee the gas flows, not bottlenecks, bundled offer, cascading principle, market-based allocation, etc.)</td>
<td></td>
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</table>
Do you agree with ACER's review of the CAM NC Preamble and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

An amendment may further improve the market functioning and better capacity allocation.

9 Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

BBL Company is a merchant TSO with its own commercial framework and business model. This is not necessarily 100% aligned with our NNO (NatGas UK) but this is functioning okay.

E CAM NC, Chapter I,
General provisions (Articles 1-3)

CAM NC
Article 1 – Subject matter

<table>
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<td>/</td>
<td>no</td>
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</table>

10 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

*
11 Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

no change needed

12 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

13 Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

BBLC as a merchant Interconnector between TTF and Bacton UK applies a very well used and by shippers appreciated Implicit Allocation Mechanism which offers unbundled capacity. This unbundled capacity is matched by NatGas UK during regular CAM auctions. It is certainly not perceived by shippers as a risk that they buy an unbundled product, rather the contrary since shippers are willing to buy the capacity much more up front in time and thereby unstress future market situations with regards to imbalances in supply and demand.
**CAM NC**

**Article 3 – Definitions* (1/2)**

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<tr>
<td>ACER Special Report on addressing congestion in North-West European gas markets</td>
<td>• &quot;Introduce the concept of 'technical capacity', which refers to the (non-static) maximum-flow capacity at a (virtual) interconnection point considering the network that is optimised for a most likely flow scenario, as opposed to 'firm technical capacity', which is the capacity that can be guaranteed in all flow scenarios. Both indicators shall be reported and updated by TSOs regularly&quot; (p. 17) • Time elements to be considered in these dynamic definitions; (CAM TF)</td>
<td>yes*</td>
</tr>
<tr>
<td>FUNC 01/2020 “Greater Flexibility to book firm capacity at IPs” - Issue Solution and Issue Solutions Supporting Note</td>
<td>• Realignment auction calendar dates to span July–June</td>
<td>yes</td>
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* Alignment with definitions provided by hydrogen and decarbonised gas markets package

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**CAM NC**

**Article 3 – Definitions* (2/2)**

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<tr>
<td>N/A</td>
<td>Review definition of implicit allocation (alignment with the key principles, in particular bundling) (CAM TF) • &quot;Implicit allocation method&quot; means a capacity allocation method where, possibly by means of an auction, both transmission capacity &gt; on both sides of the border &lt; and a corresponding quantity of gas are allocated at the same time;&quot; (Article 3(8) of CAM NC, with textual clarification)</td>
<td>yes</td>
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* Alignment with definitions provided by hydrogen and decarbonised gas markets package

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14 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- [ ] Strongly agree
- [ ] Agree
- [ ] Neutral
- [ ] Disagree
- [ ] Strongly disagree

15 Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?
F CAM NC, Chapter II
Principles of cooperation (Articles 4-7)

16. Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

An amendment may further improve the market functioning and better capacity allocation.

17. Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

- no change needed in this area
*18 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

*19 Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

no change needed in this area
### CAM NC

**Article 6 – Capacity calculation and maximisation (1/2)**

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<td>ACER Special Report on addressing congestion in North-West European gas markets</td>
<td>• “Introduce the concept of ‘technical capacity’, which refers to the (non-static) maximum-flow capacity at a (virtual) interconnection point considering the network that is optimised for a most likely flow scenario, as opposed to ‘firm technical-capacity’, which is the capacity that can be guaranteed in all flow scenarios. Both indicators shall be reported and updated by TSOs regularly.” (p. 17)</td>
<td>yes*</td>
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<td>• Time element to be considered (CAM 17)</td>
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<td><strong>Relation with Transparency annex – publication requirement</strong></td>
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<tr>
<td>ACER Special Report on addressing congestion in North-West European gas markets</td>
<td>• “Promote further harmonisation in the offering of interruptible capacities considering ‘technical capacity’.” (p. 17)</td>
<td>yes</td>
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### CAM NC

**Article 6 – Capacity calculation and maximisation (2/2)**

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<tr>
<td>ACER Report on the Conditionality Stipulated in Contracts for Standard Capacity Products for Firm Capacity</td>
<td>Integrate conditional capacity products • “The Agency would welcome a set of harmonised rules, to provide for an effective and well-functioning gas and capacity trading in the EU in line with the competition, environmental and societal goals of the Union.” (p. 10)</td>
<td>maybe</td>
</tr>
<tr>
<td>Implementation Monitoring Report on the Capacity Allocation Mechanisms Network Code – 2016</td>
<td>Introducing a process or methodology: • “As the NC CAM does not specify what “dynamic recalculation” exactly means and what frequency would be an appropriate one, the Agency requests NRAs and TSOs to discuss and clarify this term. Depending on the outcome, the Commission may need legally to define this term later on.” (p. 6)</td>
<td>maybe</td>
</tr>
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**20** Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

- [ ] Strongly agree
- [ ] Agree
- [ ] Neutral
- [ ] Disagree
- [ ] Strongly disagree

**21** Please elaborate on why do you agree or disagree with ACER’s review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?
no objection to change the definition of technical capacity

**CAM NC**

**Article 7 – Exchange of information between adjacent transmission system operators**

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<td>no</td>
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- **22** Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?
  
  An amendment may further improve the market functioning and better capacity allocation

   - Strongly agree
   - Agree
   - Neutral
   - Disagree
   - Strongly disagree

- **23** Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

  no change needed

**G CAM NC, Chapter III**

**Allocation of firm capacity products (Articles 8-18)**
Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Please elaborate on why do you agree or disagree with ACER’s review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?
Setting aside capacity is functioning well. DEP's are not relevant for BBLC

### CAM NC

**Article 9 – Standard capacity products**

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Relation with NC TAR – setting the tariff for the product

**26** Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- [ ] Strongly agree
- [ ] Agree
- [ ] Neutral
- [ ] Disagree
- [ ] Strongly disagree

**27** Please elaborate on why do you agree or disagree with ACER’s review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

This is typically an unbundled IA product since shippers between TTF and NBP likely do not want to take the risk of booking 2 sided bundled capacity with uncertain future spreads.
28 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation
- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

29 Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

No change needed
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<th>Nature of proposal in the policy paper</th>
<th>Area of improvement</th>
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| FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note | Additional booking opportunities  
- Any Y firm capacity available after ACAs will be auctioned in subsequent UPAs.  
- Proposed regularly: weekly, on Thursdays (subject to change according to flexibility proposal)  
- Once proposed via UPA, a product can no longer be proposed via ACA again | yes |

**30** Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

- [ ] Strongly agree  
- [ ] Agree  
- [ ] Neutral  
- [ ] Disagree  
- [ ] Strongly disagree

**31** Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

BBLC does not feel the need to increase the number of CAM auctions- since BBLC already offers flexible capacity buying options via a well functioning implicit allocation model.
Besides this we do not understand why the pricing mechanism should change as suggested from ACA to UPA.
**32** Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

**33** Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

See 31
**34** Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes = amendment identified, maybe = amendment may improve market, no = no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- [ ] Strongly agree
- [ ] Agree
- [ ] Neutral
- [ ] Disagree
- [ ] Strongly disagree

**35** Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

See 31
Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

See 31
**38** Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- ☐ Strongly agree
- ☐ Agree
- ☐ Neutral
- ☐ Disagree
- ☐ Strongly disagree

**39** Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

See 31. Is already part of BBLC’s booking portfolio
**40** Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

**41** Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

BBLC does not receive any complaints or remarks from shippers to change this change this time window
42. Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

   An amendment may further improve the market functioning and better capacity allocation

   - Strongly agree
   - Agree
   - Neutral
   - Disagree
   - Strongly disagree

43. Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

   BBLC does not feel the need, given its commercial market model which includes unbundled implicitly allocated capacity for a change in this area.
**44** Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

**45** Please elaborate on why do you agree or disagree with ACER’s review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

BBLC can see that auctions might take too long if the price steps are small, on the other hand does not feel a lot for changing conditions and rules during the game of auctioning capacity products.
* 46 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

* 47 Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

no change needed

H CAM NC, Chapter IV

Bundling of capacity at interconnection points (Articles 19-21)
Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

BBLC has an implicit allocation model under which capacity is offered unbundled. On the other hand BBLC and NatGas UK already jointly maximise their respective available capacity in line with CAM rules.
CAM NC

Article 20 – Alignment of main terms and conditions for bundled capacity products

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<tr>
<td>ACER Opinion 06/2018 on the template for the main terms and conditions covering contractual provisions which are not affected by fundamental differences in principles of national law or jurisprudence for the offer of bundled capacity products</td>
<td>update of ENTSOG’s “catalogue of the main terms and conditions in the transport contract(s) of the transmission system operators for bundled capacity products.” (p. 2) • “The Agency is of the view that the Template does not always go as far as would be desirable. In particular, the Agency recommends that the Template is enhanced by providing its content in a form ready to be used in contracts across the Union and by elaborating best practices.” (p. 19) • “Moreover, the Agency draws ENTSOG’s attention on the observations formulated in the recitals of this Opinion.” (p. 19)</td>
<td>yes</td>
</tr>
<tr>
<td>N/A</td>
<td>Ensure minimum alignment of Terms and Conditions for dealing with cancellations of bundled capacity</td>
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* 50 Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

- [ ] Strongly agree
- [ ] Agree
- [ ] Neutral
- [ ] Disagree
- [ ] Strongly disagree

* 51 Please elaborate on why do you agree or disagree with ACER’s review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

BBLC has its own General Terms and Conditions which are exclusively applicable to its shippers
Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Please elaborate on why do you agree or disagree with ACER’s review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

BBLC sees no necessity to change this.

I CAM NC, Chapter V
Incremental capacity process (Articles 22-31)
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<tr>
<td>N/A</td>
<td>The chapter on incremental capacity should be deleted from the NC. Triggering (cross-border) investments in light of climate neutrality objectives could be considered contradicting and experience with incremental processes in the past showed little relevance against cumbersome procedures.</td>
<td>maybe</td>
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- Hydrogen and decarbonised gas markets package must fix legal basis
- *JUDGMENT OF THE GENERAL COURT, 16 March 2022, (T-684/19 and T-704/19)

* 54 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

- [ ] Strongly agree
- [ ] Agree
- [ ] Neutral
- [ ] Disagree
- [ ] Strongly disagree

* 55 Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

The suggested reasons for deleting this article are redundant. It is helpful for both TSO's as well as the market to have a described process in place to ask market participants for potential incremental capacity interest which is working properly.
Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

![Policy paper reference](image)

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<td></td>
<td>maybe</td>
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</tbody>
</table>

Hydrogen and decarbonised gas markets package must fix legal basis

JUDGMENT OF THE GENERAL COURT: 16 March 2022 (C-462/19, Cases T-694/19 and T-704/19)

56 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

57 Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

see answer 55
Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- Strongly agree
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Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

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<td>N/A</td>
<td>The chapter on incremental capacity should be deleted from the NC. Triggering (cross-border) investments in light of climate neutrality objectives could be considered contradicting and experience with incremental processes in the past showed little relevance against cumbersome procedures.</td>
<td>maybe</td>
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- Hydrogen and decarbonised gas markets package must fix legal basis
- JUDGMENT OF THE GENERAL COURT: 16 March 2022 (T-16/19, T-604/19 and T-704/19)

60 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

- An amendment may further improve the market functioning and better capacity allocation
  - Strongly agree
  - Agree
  - Neutral
  - Disagree
  - Strongly disagree

61 Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

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An amendment may further improve the market functioning and better capacity allocation

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<td>N/A</td>
<td>The chapter on incremental capacity should be deleted from the NC. Triggering (cross-border) investments in light of climate neutrality objectives could be considered contradicting and experience with incremental processes in the past showed little relevance against cumbersome procedures. To be considered if for the case of multi-IP projects (longer corridors) a harmonised process has added value. (CAM TF)</td>
<td>maybe</td>
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An amendment may further improve the market functioning and better capacity allocation

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

70 Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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An amendment may further improve the market functioning and better capacity allocation

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Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

see answer 55

J CAM NC, Chapter VI
Interruptible capacity (Articles 32-36)
Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

The Prisma allocation procedures seek to align firm and interruptible capacity allocation anyway. TSO’s should align firm capacities which is already common procedure. Interruptible capacities will also get alignment based on the firm capacity alignment which is taken place first. Changing allocation mechanisms do not change the nature of capacity products.
76 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- Strongly agree
- Agree
- Neutral
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77 Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

no change needed
* 78 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- Strongly agree
- Agree
- Neutral
- Disagree
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* 79 Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

no change needed
80 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- Strongly agree
- Agree
- Neutral
- Disagree
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81 Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

no change needed
Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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no change needed

K CAM NC, Chapter VII
Capacity booking platforms (Article 37)
**CAM NC**

**Article 37 – Capacity booking platforms**

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<td>ACER Decision 10-2019 on the Selection of a Capacity Booking Platform for the Mallnow and GCP Gas Interconnection Point (Corrigendum)</td>
<td>• Review the future involvement of ACER in the selection process</td>
<td>maybe</td>
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| N/A | Efficiency of the process  
• proposal: reassess/redraft the rules for deciding on an auction platform (Art. 37) to avoid repeating procedures in a relatively short timeframe (e.g. by extending the validity time of the platform decision to avoid additional red-tape or require a reassessment on a needs/request basis) | maybe |

84 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

- [ ] Strongly agree
- [ ] Agree
- [ ] Neutral
- [ ] Disagree
- [ ] Strongly disagree

85 Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

No opinion

L CAM NC, Chapter VIII

Final provisions (Articles 37A-40)
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| FUNC 01/2020 “Greater flexibility to book firm capacity at IPs” – Issue | More flexibility to adapt several CAM rules  
- The CAM NC should allow several identified rules and parameters to be changed, ahead of auction year, after due assessment, consultation, and regulatory decision (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC, issue 01/2020 “Greater flexibility to book firm capacity at IPs” 2023, p. 28-29) | yes |
| Supporting Note | regulators must be involved in any change affecting the functioning of the capacity allocation mechanisms set in the regulation | |
| N/A | | |

• 86 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

An amendment may further improve the market functioning and better capacity allocation

- Strongly agree
- Agree
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• 87 Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

no opinion
Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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Please elaborate on why do you agree or disagree with ACER's review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?

no opinion
90 This article concerns legal procedural matters; please write down any comments you may have on this article?

none

91 This article concerns legal procedural matters; please write down any comments you may have on this article?

none

M Other comments or suggestions
Do you have any other comments or suggestions?

Interconnectors are not captive TSO's but have its business model based on a merchant market. No sales mean no revenues without an option to correct this. The current applicable regulatory framework which includes a model of Implicit Allocation is working well for BBLC.

ACER should take note that proposed changes to the CAM code including changes to the IA article should not undermine BBLC's commercial business model, while such changes might not directly impact other TSO's since they are tariff or revenue regulated.

N Responses are published in full, safe for the contact person information; please confirm that your version does not contain confidential information

93 I understand my response will be published and  
☑️ I confirm that my response does not contain confidential information

☐ I confirm that my response contains confidential information, properly marked as such, and a non-confidential version of my answer is included

Thank you!