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

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

1 **Name and Surname:**
   
2 **Email**
   
edfregulation@edf.fr

3 **Company:**
   
EDF

4 **Country:**
   
- [ ] AT - Austria
- [ ] BE - Belgium
- [ ] BG - Bulgaria
- [ ] HR - Croatia
- [ ] CY - Cyprus
- [ ] CZ - Czechia
- [ ] DK - Denmark
- [ ] EE - Estonia
- [ ] FI - Finland
- [ ] FR - France
- [ ] DE - Germany
- [ ] EL - Greece
- [ ] HU - Hungary
- [ ] IE - Ireland
- [ ] IT - Italy
- [ ] LV - Latvia
- [ ] LT - Lithuania
- [ ] LU - Luxembourg
- [ ] MT - Malta
- [ ] NL - Netherlands
- [ ] PL - Poland
- [ ] PT - Portugal
- [ ] RO - Romania
- [ ] SK - Slovak Republic
- [ ] SI - Slovenia
- [ ] ES - Spain
- [ ] SE - Sweden
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.

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D CAM NC Preamble

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<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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<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>
</tr>
<tr>
<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>
<td></td>
</tr>
<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 (GTM, guarantee the gas flows, not bottlenecks, bundled offer, cascading principle, market-based allocation, etc.).</td>
<td></td>
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</table>
8 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

*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?

EDF supports the purpose of the CAM network code revision to maximise capacity, through a better strengthening of coordination and transparency between neighbouring systems operations and regulatory authorities.

In some cases, adjacent TSOs offered capacity that could seem a bit random at time and not transparent, coming from unilateral decision from one of the 2 neighbouring TSO. That's why transparency should be enhanced on the prevailing conditions to offer the capacity.

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

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CAM NC

Article 1 – Subject matter

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<td></td>
<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
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?

EDF has no comments to do on this article.

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<tr>
<td>N/A</td>
<td>“When implicit allocation methods are applied, NRAs may decide not to apply article 8 to 37.” (Article 52 of CAM NC)</td>
<td>yes</td>
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<tr>
<td></td>
<td>• Make sure mechanisms of implicit allocation (IA) are consistent with the key principles of the CAM NC. In particular the principle of capacity bundling.</td>
<td></td>
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<td></td>
<td>• To avoid distortions in the functioning of the Internal Market, CNMC considers that all capacity allocation mechanisms must respect the core principles of CAM. Consequently, the CAM NC should be revised article by article (in particular, art.8 to art.37) to analyse the consequences of not applying those articles when implicit allocation is in place.</td>
<td></td>
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<tr>
<td></td>
<td>• Coordination when deciding and bundling as two key principles also for IA</td>
<td></td>
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<td></td>
<td>(CAM 1P)</td>
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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)?

- 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?

EDF has no comments to do on this article.
**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?**
EDF supports the realignment of the auction calendar as proposed, as it would simplify the readability of the document published by ENTSOG. The concept of technical capacity is more worrying, as defining a maximum capacity in a non-static way raises the risk of this capacity changing during the course of the year, making it very complex for market players to make accurate forecasts in their market strategies. As there is no clear definition of the concept, it is complex to have a full-fledged opinion on this matter, and EDF remains quite sceptical at this stage.

F CAM NC, Chapter II
Principles of cooperation (Articles 4-7)

CAM NC
Article 4 – Coordination of maintenance

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<td></td>
<td></td>
<td>no</td>
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* 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

* 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?

EDF has no comments to do on this article
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?

EDF has no comments to do on this article
### Article 6 – Capacity calculation and maximisation (1/2)

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<tr>
<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>
</tr>
<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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### 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</td>
<td>maybe</td>
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<td></td>
<td>• “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>
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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?
As per the response to question 15, dynamically establishing technical capacity might hinder market operators’ ability to operate efficiently and effectively on the market. Moreover, as dynamic technical capacity seems to rely on “the most likely flow scenario”, it is unclear to us what would happen to potential firm capacity already booked that would become unavailable as real flows deviate from the most likely forecasted ones. A guiding principle that should always be granted is that once a market player books firm capacity, that firm capacity shall always be available to the operator; if a dynamic technical capacity endangers that principle, then EDF is strongly opposed to it.

EDF does not support the proposal of introducing conditional capacity products, as it adds an additional layer of complexity that neither supports harmonization of rules across borders nor helps market participants to book and trade capacities they need. Any capacity that cannot be treated as firm should be deemed interruptible.

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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)?

- [ ] 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?

EDF has no comments to do on this article

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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

25 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?
EDF supports the existing set aside rules and does not see any additional value in revisiting them now.

**CAM NC**

**Article 9 – Standard capacity products**

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<td></td>
<td><em>Relation with NC TAR – setting the tariff for the product</em></td>
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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?

The additional flexibility brought to the market by the new “BoM” product would be greatly welcome, as market players would have an additional instrument to build an effective market strategy.
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?

EDF has no comments to do on this article
### 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)?

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

- [ ] 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?

The additional UPAs to market capacity unsold after ACAs seem to be a valid instrument to allocate capacity efficiently, providing market players with additional opportunities to book capacity. The capacity offered via UPA should be in line with the last auction for that period.

However, additional UPAs for yearly capacity should only concern the current gas year, and not the following ones, as, if the following gas years were to be offered through UPAs, then it would not be possible to offer those capacities through ACAs.
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)?

- 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?

The additional UPAs to market capacity unsold after ACAs seem to be a valid instrument to allocate capacity efficiently, providing market players with additional opportunities to book capacity.
**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?

The additional UPAs to market capacity unsold after ACAs seem to be a valid instrument to allocate capacity efficiently, providing market operators with additional opportunities to book capacity.

The capacity offered should be in line with the last auction for that period. For example, quarterly capacity is offered on the preceding month before that auction. Up until the monthly auction is offered for the overlapping period, quarterly can continue to be offered quarterly. It should be similar for monthly products.

Regarding the reserve price, later auctions should be either at the same reserve price or the highest cleared price for that auction to incentivise early bids. This will have to be discussed and assessed taking into account potential effect on market participant’s behaviour.

In any case, before taking any decision, the effect of auctioning all 3 M products via ACA before the start of the quarter should be clarified and analysed more in depth once more technical details are disclosed.
<table>
<thead>
<tr>
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<tr>
<td>FUNC 01/2020 “Greater flexibility to book firm capacity at IPs” – Issue Solution and Issue Solutions Supporting Note</td>
<td>Advance booking of day-ahead products • Introduction of a ‘Balance-of-Month’ product [OPTION]</td>
<td>yes</td>
</tr>
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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
- [x] Agree
- [ ] Neutral
- [ ] Disagree
- [ ] Strongly disagree

37 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?

EDF would welcome such addition, provided that they would fit the auction calendar and would not distort the day-ahead auctions.
**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?

The 7-days ahead offering of day-ahead products on a rolling basis would provide shippers with more flexibility and ease the operational burden on shippers (possibility to cover weekends and festive days in advance).
* 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?

EDF has no comments to do on this article
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?

The additional UPAs to market capacity unsold after ACAs seem to be a valid instrument to allocate capacity efficiently, providing market operators with additional opportunities to book capacity.
**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?

Regarding the proposal to modify price steps before every ACA round, EDF believes that it could be a welcome solution to expedite auctions and avoid unnecessary delays. Speeding up the process may contribute to a more streamlined and responsive market environment.

Regarding article 17 and possible improvement for the ACA algorithm:
- Modification of price steps: it should intervene once per day, before the auction starts.
- Termination rule of ACA to allow UPA to take place could be achieve by limiting the ACA to several rounds.
- Both ACA and UPA should start from the same reserve price (regulated price).

However, to express a comprehensive opinion, EDF expects the opportunity to review the proposal in more detail. A thorough understanding of the specifics is essential to ensure that any adjustments align with market dynamics and do not inadvertently introduce unintended consequences.

In any case EDF considers that before taking a final position on the issue, a clarification of the criteria and circumstances under which an early termination may be implemented to strike a balance between efficiency and market integrity is 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)?

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?

EDF has no comments to do on this article

H CAM NC, Chapter IV
Bundling of capacity at interconnection points (Articles 19-21)
**CAM NC**

**Article 19 – Bundled capacity**

<table>
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<tr>
<td>ACER Special Report on addressing congestion in North-West European gas markets</td>
<td>• neighbouring TSOs to jointly maximize marketing of firm bundled capacities as reflected in the indicator for firm technical capacity and allocation of unbundled firm capacities as less as possible. (p. 16)</td>
<td>yes</td>
</tr>
<tr>
<td>ACER Monitoring Update on Incremental Capacity Projects and Virtual Interconnection Points – 2020</td>
<td></td>
<td>yes*</td>
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<tr>
<td>FUNC 04/2018 “Implementation of Virtual Interconnection Points” - Solutions note</td>
<td>• “Ambiguity in text of Regulation 459/2017 (NC CAM) regarding the way of implementation of virtual interconnection points (VIPs)” (Func issue Solution Virtual Interconnection Points, p. 1)</td>
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- Hydrogen and decarbonised gas markets package might clarify it already. EC proposal reads: “Any contracted capacity at the interconnection points, regardless of the date of its conclusion, shall be transferred to the virtual interconnection point.”

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48. 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

49. 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?

In order to fully assess the proposal, EDF looks forward to the technical details that will shed light on the implementation of this approach. Understanding the specifics of how this optimization will be achieved is crucial for stakeholders to evaluate its potential impact on the market. In principle, EDF agrees that maximizing bundled capacity is essential to foster a well-functioning market. The efficiency gained through optimized capacity offerings has the potential to enhance market dynamics, ensuring a more seamless and effective allocation of resources, while avoiding complexity related to unmatched capacities for shippers. Still maximisation of capacity should remain the major purpose. EDF considers that a clear understanding of the technical aspects will enable market participants to assess the feasibility and benefits of the proposed approach.

Art. 22 to 31 relate to the incremental process and the suggestion is to have them deleted. The incremental capacity process, while acknowledging its limited returns since its inception, possibly does not deserve an outright cancellation. It might be more prudent to consider a modification that aligns with the evolving needs of the market. A more flexible approach, for example based on a more relaxed time frame or on activation only under specific conditions, could address the concerns surrounding the current frequency of the process without completely abandoning a mechanism that might still play a role in capacity development. The removal of the incremental capacity process altogether might hinder the development of capacities in the future, which could still be vital to the evolving landscape of the energy market.
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?

EDF has no comments to do on this article
**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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<td>ENTSG does not provide for a harmonized conversion model. According to Article 21(3), NC CAM foresees that ENTSG provides for a harmonized conversion model. The NC does not aim for the application of all potentially existing “conversion methods”, which are designed individually by each TSO. The NC foresee that ENTSG will coordinate across TSOs and propose a model that fits with the general principles of the NC CAM to offer &quot;transparent and efficient allocation of capacity.&quot; (p. 3)</td>
<td>maybe</td>
</tr>
<tr>
<td>“The Agency recommends that the same conversion model applies at least per entry-exit zone border, should several Interconnection Points connect the respective entry-exit zones.” (p. 3)</td>
<td></td>
</tr>
</tbody>
</table>

* Hydrogen and decarbonised gas markets package might clarify it already

**52** 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

**53** 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?

EDF has no comments to do on this article

**I CAM NC, Chapter V**

Incremental capacity process (Articles 22-31)
**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)?

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

EDF has no comments to do on this article
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<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 (C-16 Joined 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)?

   An amendment may further improve the market functioning and better capacity allocation
   - [ ] 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?

   EDF has no comments to do on this article
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)?

- Hydrogen and decarbonised gas markets package must fix legal basis
- JUDGMENT OF THE GENERAL COURT: 16 March 2022 (T-16/19, T-694/19 and T-704/19)

* 58 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

* 59 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?

EDF has no comments to do on this article
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?

EDF has no comments to do on this article
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- Strongly agree
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- 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?

EDF has no comments to do on this article

* 62 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)?

* 63 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?

EDF has no comments to do on this article
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?

EDF has no comments to do on this article
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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- 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?

EDF has no comments to do on this article
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<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-6/18-6/20 and T-7/18-7/19]

• 68 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

• 69 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?

EDF has no comments to do on this article
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?

EDF has no comments to do on this article
**CAM NC**  
*Article 31 – Transitional arrangements*  

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<tr>
<td>l</td>
<td>• Based on the nature of the article it <em>may be redundant</em> or to be <em>updated</em></td>
<td>yes</td>
</tr>
<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 (*) in Joined Cases T-694/19 and T-704/19

*72* 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

*73* 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?

EDF has no comments to do on this article

**J CAM NC, Chapter VI**  
**Interruptible capacity (Articles 32-36)**
**74** 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
- [x] Strongly disagree

**75** 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?

As stated before, maximization of capacities by TSOs is the aim of the CAM NC. All the capacity not offered as firm should be offered as interruptible.

EDF reiterates that, in principle, the maximization of bundled capacity should be prioritized, even with regards to interruptible capacity.

Regarding the bundling of capacity, some consideration should be made because the availability will depend on physical conditions. In certain circumstances, there can be capacity mismatches at certain borders and different level of interruptible capacity products could be the only possibility to make use of this capacity.

EDF agrees that the move of interruptible auctions from ACAs to UPAs has merit, particularly at times of high congestions in the network.
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?

EDF has no comments to do on this article
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
- Strongly disagree

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?

EDF has no comments to do on this article
* 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
- Strongly disagree

* 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?

EDF has no comments to do on this article
82 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

83 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?

EDF has no comments to do on this article

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

**Article 37 – Capacity booking platforms**

<table>
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<th>Policy paper reference</th>
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<tbody>
<tr>
<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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<tr>
<td><strong>N/A</strong></td>
<td>Efficiency of the process</td>
<td>maybe</td>
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<tr>
<td></td>
<td>• 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)</td>
<td></td>
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</tbody>
</table>

• 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

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

• 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?

EDF has no comments to do on this article

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L CAM NC, Chapter VIII

Final provisions (Articles 37A-40)
**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
- [ ] Neutral
- [ ] Disagree
- [ ] Strongly disagree

**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?

While EDF acknowledges the need for minor technical adjustments, such as calendar alignment, which could be appropriately modified through ACER’s public consultation process, the proposal of “adapting several rules” raises concerns. It is our firm belief that allowing National Regulatory Authorities (NRAs) and Transmission System Operators (TSOs) to independently modify the CAM NC may go far beyond what is needed.

The CAM NC represents a framework that requires careful consideration and a comprehensive understanding of its implications. Granting the authority to adapt several rules without broader consultation and collaboration could lead to inconsistencies and potential challenges in the functioning of the market.
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?

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

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

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

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!

Contact

Contact Form