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

Fields marked with * are mandatory.

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

1 Name and Surname:  

2 Email  

3 Company:  

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**

<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>
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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 (GT, guarantee the gas flows, not bottlenecks, bundled offer, cascading principle, market-based allocation, etc.).</td>
<td></td>
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</tbody>
</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?

We agree with EFET, The proposed recital largely reflects the spirit in which the CAM NC should be interpreted, although a lot of emphasis is placed on bundling, which, in itself, does not always result in the maximization of capacity offered to the market. Maximization of capacity on offer should be the stated goal of the Code and this should be made explicit in the preamble.

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

* 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?

N/C

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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 5(2) of CAM NC)</td>
<td>yes</td>
</tr>
<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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<td></td>
<td>• Coordination when deciding and bundling as two key principles also for IA (CAM 19?)</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?

The market should decide on this, we think regulating these aspects and especially bundling would make the market even less flexible.
### 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><em>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.</em></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 date to span July-June</td>
<td>yes</td>
</tr>
</tbody>
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* Alignment with definitions provided by hydrogen and decarbonised gas markets package

### 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)</td>
<td>yes</td>
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<td></td>
<td><em>‘Implicit allocation method’ 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;</em> <em>(Article 3(5) of CAM NC, with textual clarification)</em></td>
<td></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)?

- [ ] 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?
We are in line with the first two proposed changes however we do not think bundling of implicit capacities will make the market more flexible.

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

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<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
- [x] 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?

N/C
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

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?

N/C
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<td>ACER Special Report on addressing congestion in North-West European gas markets</td>
<td><em>“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.”</em> (p. 17)</td>
<td>yes*</td>
</tr>
<tr>
<td>ACER Special Report on addressing congestion in North-West European gas markets</td>
<td><em>“Promote further harmonisation in the offering of interruptible capacities considering ‘technical capacity’.”</em> (p. 17)</td>
<td>yes</td>
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<tr>
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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><em>“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.”</em> (p. 6)</td>
<td></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?
We agree with this proposal however we have a strong preference on having interruptible or firm products. In case of conditional products the conditions should be clear and TSOs should be accountable for it.

**CAM NC**

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

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<td></td>
<td></td>
<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)?*

- [ ] 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?*

We do not have any specific comment on everyday cooperation between TSOs, however there is need for a stronger cooperation and communication in terms of projects and reasoning of problems especially in the Eastern European region.

G CAM NC, Chapter III

*Allocation of firm capacity products (Articles 8-18)*
### Article 8 – Allocation methodology (1/2)

<table>
<thead>
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<tr>
<td>FUNC 01/2020 “Greater flexibility to book firm capacity at IPs” - Issue Solution and Issue Solution Supporting Note</td>
<td>Possibly revisit the set-aside rules of points (6) and (7)</td>
<td>maybe</td>
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<td></td>
<td>“ACER and ENTSOG did consider whether there would be a need to revise the set-aside rules, in order to avoid capacity for the shorter-term products from being sold-out. No concrete proposal has been put forward as the current wording of the Article already allows for greater shares to be set aside. It can however be considered for the official amendment process whether higher volumes of capacity should be set aside, and/or if a dedicated set-aside rule should be applied to each short-term product.”</td>
<td></td>
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<td>(Points 1 – Issue Solution Supporting Note Evaluation of Issue 01/2020 “Greater flexibility to book firm capacity at IPs” 2023, p. 16)</td>
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### Article 8 – Allocation methodology (2/2)

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<th>Area of improvement</th>
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<tbody>
<tr>
<td>FUNC 04/2019 “Auction restrictions NCG”</td>
<td>Relevance to be re-assessed</td>
<td>maybe</td>
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<td></td>
<td>“Given the auction-based capacity allocation according to CAM NC at IPs and the deviating capacity allocation process at DEPs based on national law, capacity cannot be allocated in a straightforward manner as competing capacities. Based on that, a reallocation of capacities from IP to DEP might be appropriate as an interim measure for such exceptional cases, if TSOs are guided by a number of predefined criteria:”</td>
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<td>The procedure does not guarantee security of supply for customers supplied via the IP or the DEP</td>
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<td>There is competition among bidders but there is neither perfect nor competing demand for capacity of the IP or the DEP</td>
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<td></td>
<td>If IP capacity is already allocated and the DEP cannot be reallocated, it means that the IP cannot be used for capacity allocation from the IP to the DEP</td>
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<tr>
<td></td>
<td>Capacity may be reallocated to the DEP and will be re-allotted again to the IP if it is no longer needed at the DEP</td>
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<td></td>
<td>Capacity of the network operator offering the capacity avoids cost-efficient measures to meet the criteria</td>
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<td>A reallocation of available capacities is an efficient result of an alignment between the involved network operators of the market area concerned to the interconnection</td>
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<td></td>
<td>The highest level of transparency is ensured which involves a yearly alignment meeting between network operators, in particular the national regulatory authorities (NRAs) and network operators of the market area concerned</td>
<td></td>
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<tr>
<td></td>
<td>An alignment between the network operators of the market area concerned is required to guarantee a reallocation of available capacity prior to the reallocation on the capacity booking platform</td>
<td></td>
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<tr>
<td></td>
<td>TSOs and ENTSOG may make their best efforts to ensure that the market mechanism finds the shortest period of time possible.”</td>
<td>(Auction Restrictions in the NCG Market Area Issue Solution Note 2020, p. 1-2)</td>
</tr>
</tbody>
</table>

24 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

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?
We agree that it would suit the market better to have a larger availability of short term products therefore set aside rules are to be reconsidered. As regards the potential inclusion of criteria relating to the reallocation of capacity between IPs and DEPs we note prompting this consideration (FUNC 4/2019) pre dates the German market area merger and does not appear to be widespread across the EU. As such, unless ACER/ENTSOG can demonstrate otherwise, we do not see a compelling reason for including such criteria in the CAM NC.

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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)?

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

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

*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?

We think such product could be of interest to the market, however there is a need to define a set aside rule for DA products sold the day before in order to leave some flexibility to the shippers.
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?

We do not see this as a problem on CAM scope. However on third party points (for example Ukraine) we still see volume units (m³) which complexifies capacity booking.
**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?

N/C
• 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?

   N/C
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)?

- [ ] 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?

N/C
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<tbody>
<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</td>
<td>yes</td>
</tr>
</tbody>
</table>

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)?

- Strongly agree
- 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?

N/C
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?

N/C
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?

N/C
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?

N/C
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?

These are good propositions but we would it simpler if auctions were limited in time and after a certain time limit we would move on to UPA. In the same lines, there is enough data to assess use cases with the new proposed methods. Hence we think a more detailed impact assessment would be 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?

We think it would be simpler if interruptible capacities were auctioned only in UPA.

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

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?

We agree that bundling of capacities is an important element in maximizing them. We would like to reiterate our proposition to have entities of the same group booking capacities on both sides of a given border in order not to duplicate legal entities.
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

* 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)?

* 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?

We agree with EFET that while alignment of main T&Cs for transport contracts could be viewed as something positive, we note that bundling will still refer to two different products and it is difficult to establish what benefit better alignment of the main provisions can bring. We are also not clear what is meant by "dealing with cancellation of bundled capacity."
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?

We think is is sufficiently addressed in the current CAM and on booking platforms

I CAM NC, Chapter V
Incremental capacity process (Articles 22-31)
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?

We agree to have incremental process deleted as clearly it has not brought any results hence might be frustrating for ACER and ENTSOG. However there should be sufficient assurance to ensure that cross border investments are ensured.
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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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?

N/C
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

* 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)?

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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

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N/C
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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?

N/C
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?

N/C
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>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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66 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

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

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

67 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?

N/C
CAM NC
Article 29 – Auctioning of incremental capacity*

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- Hydrogen and decarbonised gas markets package must fix legal base
- Judgement of the General Court, in March 2022, in Joined Cases T-694/18 and T-704/19

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)?

- [ ] Strongly agree
- [x] 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?

N/C
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

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- 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?

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

N/C

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?

We think interruptible capacities should be marketed in the easiest way possible in UPA auctions without alignment to firm capacities.
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?

N/C
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?

N/C
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- [ ] Strongly agree
- [ ] Agree
- [ ] Neutral
- [ ] Disagree
- [ ] Strongly disagree

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

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?

N/C
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N/C

K CAM NC, Chapter VII

Capacity booking platforms (Article 37)
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?

TSOs should be able to freely choose their platforms even if for shippers it would be easier to have one platform. This allows for competition and better quality of service. Concerning the involvement of ACER, we think once decided the point should be on the same platform at least 5 years in order to allow better historical data and to facilitate bookings.

L CAM NC, Chapter VIII
Final provisions (Articles 37A-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
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N/C
90 This article concerns legal procedural matters; please write down any comments you may have on this article?

N/C

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N/C

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.

- 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