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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

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- ○ IE - Ireland
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- ○ 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:

C Consultation documents

Download ACER's Scoping document

Download the cover note to the scoping document

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

D CAM NC Preamble

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CAM NC
Preamble - point (x) (new)

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
ACER Special Report on addressing congestion in North-West European gas markets	• To **maximise technical capacity** as well as (bundled) **firm capacity** (cf. p.15-17) • A further **strengthening of coordination** between **neighbouring system operators** and **regulatory authorities** is needed, for instance, by harmonising calculation methodologies (cf. p. 16)	yes
N/A	**Clear recital or New article on CAM principles** • 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.).	yes

6

*

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)?

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

- ○ 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?

The conditions and the calculation models are very different in the individual EU countries due to the complexity and topological differences of the networks. The regulations and definitions regarding "technical capacity" are currently contained in European and national standards.

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

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CAM NC
Article 1 – Subject matter

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no

8

* 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)?

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

- ○ 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?

We agree with ACER's proposal, because the subject matter is clear defined.

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CAM NC
Article 2 – Scope

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
N/A	"*When implicit allocation methods are applied, NRAs may decide not to apply article 8 to 37.*" (Article 5(2) of CAM NC) • Make sure **mechanisms of implicit allocation (IA) are consistent with the key principles of the CAM NC**, in particular the principle of capacity bundling. • 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. • Coordination when deciding and bundling as two key principles also for IA (CAM TF)	yes

9

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

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

- ( ) Strongly agree
- ( ) Agree
- (•) Neutral
- ( ) Disagree
- ( ) Strongly disagree

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

Implicit allocation methods are a rare exemption within the European market which does not justify a major adjustment. For this reason, the NRA/TSO who seeks an exemption from Art. 8 to 37 should individually analyze the impact of such decision. However, this should be on a case-by-case basis and not as part of the general CAM rule.

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CAM NC
Article 3 – Definitions* (1/2)

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
ACER Special Report on addressing congestion in North-West European gas markets	• "*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) • Time elements to be considered in these dynamic definitions; (CAM TF) *Relation with Transparency annex – publication requirement*	yes*
FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note	• Realign **auction calendar** dates to span July-June	yes

* Alignment with definitions provided by hydrogen and decarbonised gas markets package

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CAM NC
Article 3 – Definitions* (2/2)

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
N/A	Review definition of implicit allocation (alignment with the key principles, in particular bundling) (CAM TF) • *"implicit allocation method' means a capacity allocation method where, possibly by means of an auction, both transmission capacity* > **on both sides of the border** < *and a corresponding quantity of gas are allocated at the same time;"* (Article 3(6) of CAM NC, with textual clarification)	yes

* Alignment with definitions provided by hydrogen and decarbonised gas markets package

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

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

- ○ Strongly agree
- ○ Agree
- ○ Neutral
- ○ Disagree
- ◉ Strongly disagree

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

"Technical Capacity" is already defined in the Reg. 715/2009 and "means the maximum firm capacity that can be offered to the network users, taking ac-count of system integrity and the operational requirements of the transmission system or hydrogen network."
An amendment or deviating definition seems not to be appropriate. Further-more, the aim of introducing such a concept is unclear. A dynamic model would be overly complex (which scenarios should be considered, and which denied at which point in time?, how often should it be recalcu-lated) and for this reason
would not provide the market any additional value or even create harmful, easily misinterpreted information.

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

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CAM NC
Article 4 – Coordination of maintenance

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no

13

* 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)?

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

- (●) 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?

We agree with ACER's proposal, because in our opinion the Coordination of maintenance works without problems.

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no

14

* 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?

We agree with ACER's proposal, because in our opinion the Standardisation of communication works without problems.

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

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
ACER Special Report on addressing congestion in North-West European gas markets	• *"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) • Time element to be considered (CAM TF) ***Relation with Transparency annex – publication requirement***	yes*
ACER Special Report on addressing congestion in North-West European gas markets	• *"Promote further **harmonisation in the offering of interruptible capacities** considering **'technical capacity'**;"* *(p. 17)*	yes

15

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CAM NC
Article 6 – Capacity calculation and maximisation (2/2)

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
ACER Report on the Conditionalities Stipulated in Contracts for Standard Capacity Products for Firm Capacity	Integrate **conditional capacity products** • *"The Agency would welcome a set of **harmonised rules**, to provide for an **effective and well-functioning gas and capacity trading** in the EU in line with the competition, environmental and societal goals of the Union."* *(p. 10)*	maybe
Implementation Monitoring Report on the Capacity Allocation Mechanisms Network Code – 2016	**Introducing a process or methodology:** • *"As the NC CAM does not specify what **"dynamic recalculation"** exactly means and what frequency would be an appropriate one, the Agency requests NRAs and TSOs to **discuss and clarify this term**. Depending on the outcome, the Commission may need legally to define this term later on."* (p. 6)	maybe

16

* 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)?

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

- ( ) 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?

See No. 15.
Furthermore, to achieve an optimal utilization of the network, at most German IPs the German TSOs offer infinitive interruptible capacity. In case the offered interruptible capacity is limited by the new “technical capacity” it will harm the utilization of the network.

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CAM NC
Article 7 – Exchange of information between adjacent transmission system operators

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no

17

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

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

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

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

We agree with ACER’s proposal, because the exchange of information be-tween adjacent transmission system operators works without problems.

G CAM NC, Chapter III
Allocation of firm capacity products (Articles 8-18)

ACER
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CAM NC
Article 8 – Allocation methodology (1/2)

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note	**Possibly revisit the set-aside rules of points (6) and (7)** • *"ACER and ENTSOG did consider whether there would be a need to revise also 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"* (Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 16)	maybe

19

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CAM NC
Article 8 – Allocation methodology (2/2)

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
FUNC 04/2019 "Auction restrictions NCG"	Relevance to be re-assessed *"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:* • *This procedure does not **endanger security of supply** both for customers supplied via the IP or the DEP* • *There is comprehensive reasoning that there is indeed **potential for competing demand for capacity at both IP and DEP** and, in the absence of appropriate network expansion, the level of demand at the DEP cannot be met without allocating capacity from the IP to the DEP* • *Capacity may be reallocated to the DEP and will be re-allocated again to the IP if it is no longer needed at the DEP* • *The relevant network operator offering the capacity seeks **cost-efficient measures** to meet the overall capacity demand and render the re-allocation redundant.* • *A **reallocation of available capacity** is the **efficient result** of an alignment between the involved network operators of the market areas impacted by the reallocation.* • *The **highest level of transparency** is ensured, which involve a **yearly alignment meeting** between relevant parties, in particular the national regulatory authorities (NRAs) and network operators of the market areas impacted by the reallocation. Furthermore, shippers are informed of possible reallocation of unbooked capacity prior to the relevant auctions on the capacity booking platforms.* • *TSOs and NRAs will make their best efforts to assure that this **interim measure** lasts the **shortest period of time possible**."* (Auction Restrictions in the NCG Market Area Issue Solution Note 2020, p. 1-2)	maybe

20

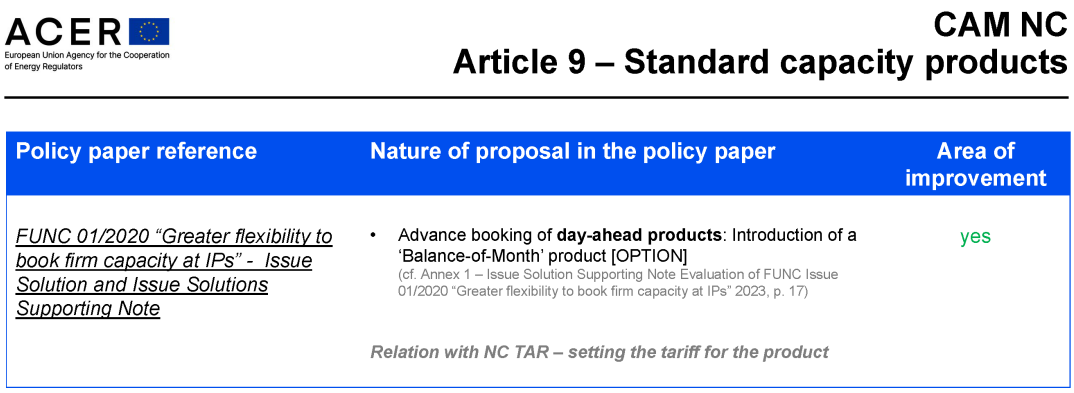
* 24 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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?

The regulations on reservation quotas must be adjusted if additional UPAs are introduced. In this case, reserved capacities may not be offered in the addi-tional UPAs for the same product term.



* 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 introduction of a new capacity product (BoM) is not necessary to implement the possibility to book the remaining days of a month. It is sufficient to im-plement a new possibility to book daily products more in advance (see No. 34).
In addition, it is very problematic to implement new products due to national legislation. There are different multipliers for different product runtimes in place which do not fit to a new runtime.
The valuation "strongly disagree" refers only to the implementation of a new product in Art. 9 but not to the BoM-mechanism itself.

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no

22

* 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 agree with ACER’s proposal, because the applied capacity unit works without problems.

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note	**Additional booking opportunities** • Any Y firm capacity available after ACAs will be auctioned in subsequent UPAs; • Proposed regularity: weekly, on Thursdays (subject to change according to flexibility proposal) • Once proposed via UPA, a product can no longer be proposed via ACA again (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 22)	yes

23

* 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 assessment whether the implementation of additional booking opportunities for yearly products is beneficial for the market should be up to market participants (traders, transport-customers). The final decision should be based in any case on a cost-benefit-analysis.
To avoid excessive traffic on the IT systems, the additional auctions should not be more often than once a week. Furthermore, the additional auctions should cover only the upcoming gas year.Cascading principle should be respected.

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note	**Additional booking opportunities** • Any Q firm capacity available after ACAs will be auctioned in subsequent UPAs; • Proposed regularity: weekly, on Thursdays (subject to change according to flexibility proposal) • Once proposed via UPA, a product can no longer be proposed via ACA again *(ACER and ENTSOG have diverging views on the implementation)* (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 22)	yes

24

* 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?

The assessment whether the implementation of additional booking opportuni-ties for quarterly products is beneficial for the market should be up to market participants (traders, transport-customers). The final decision should be based in any case on a cost-benefit-analysis.
To avoid excessive traffic on the IT systems, the additional auctions should not be more often than once a week. Furthermore, the additional auctions should cover only the upcoming quarter. Cascading principle should be respected.

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note	**Additional booking opportunities** • Any M firm capacity available after ACAs will be auctioned in subsequent UPAs; • Proposed regularity: weekly, on Thursdays (subject to change according to flexibility proposal) • Once proposed via UPA, a product can no longer be proposed via ACA again *(ACER and ENTSOG have diverging views on the implementation)* (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 22) **Advance booking of monthly products** • All 3 M products within a given Q will be auctioned via ACA before start of Q, then auctioned via UPA each week (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 17-19)	Yes

25

* 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 assessment whether the implementation of additional booking opportuni-ties for monthly products is beneficial for the market should be up to market participants (traders, transport-customers). The final decision should be based in any case on a cost-benefit-analysis.
To avoid excessive traffic on the IT systems, the additional auctions should not be more often than once a week. Cascading principles should be respected.
As option 2 (all 3 month) seems to be very complex it is recommended to pay special attention to the cost-side of the cost-benefit-analysis.

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note	**Advance booking of day-ahead products** • Introduction of a 'Balance-of-Month' product [OPTION] (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 19)	yes

26

* 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

* 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?

The assessment whether the implementation of the BoM auction-mechanism is useful to meet NC CAM targets (internal gas market) should be up to market participants (traders, transport-customers). The final decision should be based in any case on a cost-benefit-analysis. Cascading principle should be re-spected It should be emphasized that BoM is NOT a new product but new way to allo-cate the existing daily product (acc. to Art. 9 (5) NC CAM).

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note	**Advance booking of day-ahead products** • Daily offer of DA products for the following 7 days on a rolling basis until the end of the month (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 18)	yes

27

* 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 mentioned 7-days-rolling method is an alternative to the BoM mechanism. The market seems not to be in favor of it, because BoM provides more book-ing-opportunities.

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note	• Move the **closing of the first WD bidding round** ('WD24') **earlier in the day** (1h30 D → 21h D-1 UTC winter-time) (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 24)	yes

28

* 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?

Should be assessed by the stakeholders (traders, transport-customers). Cas-cading principle should be respected

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note	**Additional booking opportunities** • Any Y, Q, M firm capacity available after ACAs will be auctioned in subsequent UPAs (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 15)	yes

29

* 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?

If additional auctions are implemented they should be allocated via an UPA.

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note	More **efficiency** in the **ACA allocation process** • Explicitly allow TSOs to jointly decide to modify the **level of price steps** during the auction process (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 21) • Provide for a **termination rule of ACAs**, to allow UPAs to take place (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 28)	yes
FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note	Investigate the possibility/need of **introducing pro-rata rule under ACA** • "***this option of a pro-rata allocation under ACAs was overall not considered optimal by NRAs and TSOs*** *insofar as (i) it would require the ACA algorithm to be amended as its current parameters do not allow for this feature and as (ii) allowing for a change in the level of price steps during the auction process was deemed easier and more efficient. In any case, with additional UPAs taking place after ACAs, a pro-rata allocation will take place if demand exceeds offer, under already-existing UPA rules."* (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 21) • **Assess whether a pro-rata rule should be added to the ACA algorithm** in cases of long-lasting auctioning processes and/or to reduce the risk of price manipulation (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 21)	maybe
N/A	• Assess the most efficient way of improving the efficiency of the ACA algorithm, in particular the introduction of a pro-rata allocation, in view maximization of allocated volumes and risk of price manipulation (cf. CNMC note)	maybe

30

* 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?

There is no need to adjust the price steps during an ongoing auction. There are possibilities to set the price steps appropriately in advance (based on price spreads between adjacent hubs). If auctions are not completed on time, there are already mechanisms in place (Art. 17 (22) NC CAM).
A pro rata allocation of capacities seems to contradict the principle of willing-ness-to-pay and should therefore be rejected.

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no

31

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

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

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

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

We agree with ACER’s proposal, beacause the uniform-price auction algo-rithm works without problems.

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

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
ACER Special Report on addressing congestion in North-West European gas markets	• neighbouring TSOs to *"jointly maximise 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)	yes
ACER Monitoring Update on Incremental Capacity Projects and Virtual Interconnection Points – 2020; *FUNC 04/2018 "Implementation of Virtual Interconnection Points" - Solutions note*	• *"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)	yes*

• 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.**"	33

* 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?

See No. 21 regarding technical capacity.
As the current regulations on bundling already lead to a maximum of bundled capacities, it is also unclear what is to be achieved here. It should be also con-sidered that unbundled capacity may only be marketed to a limited extent in the future.

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
ACER Opinion 06/2018 on the template for the main terms and conditions covering contractual provisions which are not affected by fundamental differences in principles of national law or jurisprudence, for the offer of bundled capacity products	**update** of ENTSOG's *"catalogue of the main terms and conditions in the transport contract(s) of the transmission system operators for bundled capacity products."* (p. 2) • *"The Agency is of the view that the Template does not always go as far as would be desirable. In particular, the Agency recommends that the template is enhanced by providing its content in a form ready to be used in contracts across the Union and by elaborating best practices."* (p. 19) • *"Moreover, the Agency draws ENTSOG's attention on the observations formulated in the recitals of this Opinion."* (p. 19)	yes
N/A	Ensure minimum alignment of Terms and Conditions for dealing with cancellations of bundled capacity	

34

* 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)?

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

- ○ Strongly agree
- ○ Agree
- ○ Neutral
- ○ Disagree
- ◉ Strongly disagree

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

Due to the requirements of NC CAM, the content of the transport contracts is almost completely standardized. In addition to the regulatory content, which is based on European standards, national regulations are also reflected in the transport contracts. Those national requirements cannot be harmonized anyway.

CAM NC
Article 21 – Bundling in case of existing transport contracts

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
ACER's comments on the Capacity Conversion Model created by ENTSOG pursuant to Article 21(3) of the NC CAM	• *"ENTSOG does not provide for a **harmonized conversion model**. According to Article 21(3), NC CAM foresees that ENTSOG 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 foresees that ENTSOG will coordinate across TSOs and propose a model that fits with the general principles of the NC CAM to offer "transparent and efficient allocation of capacity."* (p. 3) • *"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)	maybe

* Hydrogen and decarbonised gas markets package might clarify it already	35

* 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)?

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

- ( ) 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?

There is a harmonised conversion model provided by ENTSOG in 2017: CAP0717-17_170724_ENTSOG_Capacity-conversion-model_final GA.docx: For all booking platforms currently used by the german TSOs there is an automized conversion model in place. The shipper can convert the capacity dur-ing a capacity auction process by entering information about the contract that should be converted.

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

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no
N/A	**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.	maybe

- Hydrogen and decarbonised gas markets package must fix legal basis
- JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/19

37

* 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?

The incremental process did not result in a successful project so far but cre-ated a lot of bureaucratic workloads for the TSOs and NRAs. Therefore, and against the background of potential CH4-phaseout, the whole process should be deleted.

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no
N/A	**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.	maybe

• Hydrogen and decarbonised gas markets package must fix legal basis • JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/19	38

* 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?

See No. 55

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no
N/A	**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.	maybe

• Hydrogen and decarbonised gas markets package must fix legal basis • JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/19	39

* 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?

See No. 55

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no
N/A	**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.	maybe

• Hydrogen and decarbonised gas markets package must fix legal basis • JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/19	40

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

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

- (●) Strongly agree
- ( ) Agree
- ( ) Neutral
- ( ) Disagree
- ( ) Strongly disagree

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

See No. 55

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
2nd Monitoring Update on Incremental Capacity Projects - 2021	**Frequency of process** • *"As far as the existing incremental process is concerned, the process is burdensome for TSOs and NRAs and, given the limited expectations on the future gas consumption, NRAs question whether the obligation to repeat the incremental-capacity cycle every 2 years for all gas interconnection points remains meaningful."* (p. 12) **Administrative fees** • *"Within the current rules, NRAs may, in line with Article 26(11) of the CAM NC, approve the charging of a fee to network users that wish to express non-binding interest. Such fee shall reflect the administrative costs of the process and could help to attract more robust expressions of non-binding int-erest that have a better chance of being converted into bind-ing capacity bookings or lead to a closure of the incremental process in the earliest stage of the demand assessment."* (p. 12)	maybe
N/A	**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.	maybe

- Hydrogen and decarbonised gas markets package must fix legal basis
- JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/19

41

* 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)?

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

- (●) Strongly agree
- ( ) Agree
- ( ) Neutral
- ( ) Disagree
- ( ) Strongly disagree

* 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?

Should be deleted.

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no
N/A	**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.	maybe

• Hydrogen and decarbonised gas markets package must fix legal basis • JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/19	42

* 64 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

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

See No. 55

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no
N/A	**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.	maybe

• Hydrogen and decarbonised gas markets package must fix legal basis • JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/19	43

* 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)?

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?

See No. 55

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no
N/A	**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.	maybe

- Hydrogen and decarbonised gas markets package must fix legal basis
- JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/19

44

* 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?

See No. 55

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no
N/A	**The chapter on incremental capacity should be deleted** from the NC. Triggering (cross-border) investments in light of climate neutrality objectives could be considered contradicting and experience with incremental processes in the past showed little relevance against cumbersome procedures. To be considered if for the case of multi-IP projects (longer corridors) a harmonised process has added value (CAM TF)	maybe

- Hydrogen and decarbonised gas markets package must fix legal basis
- JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/19

45

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

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

- (●) Strongly agree
- ( ) Agree
- ( ) Neutral
- ( ) Disagree
- ( ) Strongly disagree

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

See No. 55

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	• Based on the nature of the article it may be redundant or to be updated	yes
N/A	**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.	maybe

- Hydrogen and decarbonised gas markets package must fix legal basis
- JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/19

46

* 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?

See No. 55

J CAM NC, Chapter VI
Interruptible capacity (Articles 32-36)

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
ACER Special Report on addressing congestion in North-West European gas markets	• *"Neighbouring TSOs to extensively coordinate and jointly **maximise** the **availability of firm and interruptible capacities**;"* (p. 4) • Bundling as key principle for offering interruptible (CAM TF)	yes
FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note	**Alignment with proposals on** • Additional booking opportunities • Advance booking of monthly products • Advance booking of day-ahead products (Daily offer of DA products for the following 7 days on a rolling basis until the end of the month; Introduction of a 'Balance-of-Month' product) (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p.14-19) **Move Y, Q, M interruptible auctions from ACA to UPA** • It *"should allow a quicker allocation and avoid the cases of inefficiencies of ACA under certain market conditions to effectively allocate interruptible capacity"* (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 23)	yes maybe

48

* 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)?

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

- ○ Strongly agree
- ○ Agree
- ◉ Neutral
- ○ Disagree
- ○ 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?

TSOs are already working together to maximize the offer of firm and interruptible capacity.
Regarding the bundling of interruptible capacity the approval of all TSOs involved is necessary. A mandatory bundling of interruptible capacity does not seem to be effective due to the infinitive offer of unbundled capacity at some (V)IPs

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no

49

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

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

- Strongly agree
- (•) Agree
- Neutral
- Disagree
- Strongly disagree

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

We agree with ACER’s proposal, because the minimum interruption lead times is clear defined.

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no

50

* 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?

We agree with ACER’s proposal, because the coordination of interruption process works without problems.

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no

51

* 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?

We agree with ACER’s proposal, because the defined sequences of interrup-tion process is clear defined.

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	no

52

* 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)?

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

- 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?

We agree with ACER's proposal, because the reasons for interruptions are clear defined.

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

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

54

* 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)?

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

- Strongly agree
- Agree
- (•) Neutral
- Disagree
- Strongly disagree

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

We welcome the idea of extending the validity time of the ACER decision. Nevertheless, the involved TSOs should in any case have the option to deviate from the decision when they come to a bilateral agreement about the platform. In this case a switch of the platform should be possible anytime.

L CAM NC, Chapter VIII
Final provisions (Articles 37A-40)

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note *N/A*	**More flexibility** to adapt several CAM rules • The CAM NC should allow several identified **rules** and **parameters** to be changed, ahead of auction year, after due assessment, consultation, and regulatory decision (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 28-29) **regulators must be involved in any change** affecting the functioning of the capacity allocation mechanisms set in the regulation	yes

56

* 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?

It is critical to note that almost all relevant regulatory content can be changed without following the regular adjustment process for regulations.
This approach would result in stakeholders having no binding basis for their transactions.

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	• Based on the nature of point 4 of the article (conditionalities report), it may be redundant or to be updated	yes

57

* 88 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

* 89 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?

Based on the nature of point 4 of the article (conditionalities report), it may be redundant or to be updated

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	/

58

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

/

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
/	/	/

59

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

/

M Other comments or suggestions

92 Do you have any other comments or suggestions?

No

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