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:  

Gas Networks Ireland

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:

C Consultation documents

Download ACER’s Scoping document

Download the cover note to the scoping document

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

D CAM NC Preamble

<table>
<thead>
<tr>
<th>Policy paper reference</th>
<th>Nature of proposal in the policy paper</th>
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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) • 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>yes</td>
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<tr>
<td>N/A</td>
<td>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 (GT, guarantee the gas flows, not bottlenecks, bundled offer, cascading principle, market-based allocation, etc.)</td>
<td>yes</td>
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</table>
8 Do you agree with ACER's review of the CAM NC Preamble and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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

Gas Networks Ireland strongly disagrees with making changes to all 3 topics which are covered by this question, such changes can be deemed as unnecessary and counterproductive to enabling the growth and security of Europe's gas network. Gas Networks Ireland see the cooperation between North-Western TSOs during the crisis caused by the war in Ukraine has proven that the rules and practices developed so far enable for flexibility and maximization of network usage.

1) Maximization of technical and firm bundled capacity Firstly, the aim of this change is to calculate the ratio between firm and interruptible capacity knowing the flow pattern and the weather forecast for instance. It will not change the amount of firm + interruptible capacities just the ratio between them. Therefore, we do not see an adequate interest for this additional measure. This measure will also create difficulties to offer different levels of firm capacities for different lengths of capacity products. TSO's will not be able to set aside a percentage of firm capacity for short term products if the level of firm capacity is variable.

2) Strengthening coordination Gas Networks are strongly opposed to the harmonization of the capacity calculation methodology. Each network is different and by harmonizing the capacity calculation methodology it does not allow for flexibility which limits the optimization capability of individual networks. The harmonization of capacity calculation methodology would not take into account the significant differences that exist between networks.

3) Clear Recital on CAM principles – Gas Networks Ireland does not see the need for an additional recital. The principles as mentioned above are included in the CAM NC. The preamble in its Recital 5 already gives proper background for interpretation of the CAM NC: to achieve the necessary level of harmonization across the Union for capacity allocation mechanism in gas transmission systems.

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)?

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?

Gas Network Ireland strongly agrees there is no need for improvement.
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?

This does not affect Gas Networks Ireland and therefore do not wish to comment as such.
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

14. 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?
Gas Networks Ireland "completely disagrees" with point 1, and "disagrees" with point 3. The second issue is purely technical, which is why Gas Networks Ireland refers to the answer given to question 13 in this consultation. Gas Network Ireland agrees that it should be addressed in the CAM amendment process.

1) Introduction of technical capacity concept – Gas Networks Ireland do not see a need for such a change. The proposal of the technical capacity definition under amendment of 715/2009 process remained unchanged. This definition fulfills its role and is understood in a harmonized manner. We do not see the added value of the proposed firm technical capacity definition. Defining the term "most likely flow scenario", will serve no benefit as in reality due to continuous market volatility the reality will deviate from this scenario in many (most?) cases. Introducing these definitions could be misleading for the market.

2) Adjustment of the CAM NC rules to the current auction calendar – Gas Networks Ireland supports this initiative.

3) Change of implicit allocation method definition- see answer to question 13.

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

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

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

Gas Networks Ireland believe the principles are set correctly and proven to be fit for purpose measure.

### Article 5 – Standardisation of communication

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

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

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

Gas Networks Ireland believe the principles are set correctly and proven to be fit for purpose measure.
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?
1) For the concept of technical capacity please refer to the answer to q 15

2) Harmonisation in offering of interruptible capacities considering “technical capacity”

   – In the Special Report on Congestion in NW Europe, ACER identified 3 CAM-related layers where harmonization could take place: a) bundling of interruptible products, b) alignment of the product’s duration and c) offered amounts of interruptible capacity.

   Gas Network Ireland believe that mandatory bundling of interruptible capacity could be counterproductive and cause more distortions in market functioning than benefits. However, it should be clarified in the CAM NC that bundling of interruptible capacity is possible if agreed by all involved TSOs. As it is in the interest of TSOs (and the market) to sell as much capacity as possible, the capacity to be offered is already calculated in the most optimal way in order to maximise the supply of (bundled) firm capacity. The role of interruptible capacity products is to enhance the efficiency of system usage. The level of such efficiency is closely linked to the flexibility for TSOs to take into account the specificities of the system and to adjust the offer, both in terms of level (amount) and product duration. The introduction of new mechanisms aimed at bundling of interruptible capacity will lead to many uncertainties, such as:

   • What happens if one TSO has to interrupt but not the other? And then what are the financial implications for each TSO and for the shippers involved?

   • The offer of two interruptible products on either side of the IP is different for each TSO and the quantity may be subject to different reasons for interruption; also, the interruptible supply may be based on seasonality - the same capacity may be offered as firm in one season but can only be offered as interruptible in another;

   • What if there is a mismatch between the levels of firm and interruptible capacity on both sides of an IP? It would then make more sense to offer interruptible capacity in an unbundled manner. Otherwise, fixed capacity may be "downgraded" to interruptible capacity and, as a result, the final bundled product will also have a higher probability of interruption than the original unbundled product.

3) Integrate conditional capacity products – A definition has already been proposed as part of the process of amending Regulation 715/2009. No further improvements are required. What would integration of conditional capacity products mean?

4) “Dynamic recalculation"process or methodology - Harmonization would be counterproductive as stated in q 9. The flexibility of dynamic recalculation processes and methodologies allows TSOs to optimize their offerings in the best possible way, taking into account network characteristics, geographical situation and actual flows. Interruptible products are now offered after the DA auction of the firm product has ended. These interruptible products allow TSOs to tailor their offerings to market needs, and to offer all the capacity available that can be used by the market.
Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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

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

Gas Network Ireland agrees that this is fit for purpose.

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

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

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

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

1) Revision of set-aside rules: Gas Networks Ireland does not see the need to revise the set-aside rules. Current rules set only a minimum threshold. If market participants would like changes, these could of course be investigated.

2) Reallocation of capacities from IP to DEP: We do not really understand the issue since it seems to be connected with reallocation of capacities within the country while CAM NC is applicable to Interconnection Points. Therefore, we think this could be dealt with at member state level. There are different processes in place in the Member States. NRAs are in charge of those and they do so based on the individual circumstances of the system in question.

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?

Gas Networks Ireland strongly disagrees with the implementation of a new capacity product like Balance- of-the-month.

During the FUNC issue work on Greater flexibility, two potential additional ways of auctioning of day-ahead capacity products were identified, where capacity is offered more upfront than day-ahead, which should be further assessed and considered instead. These would be based on already existing standard daily capacity
products, Day-Ahead (DA), without the need of introducing new standard capacity products.

- Seven Days-Ahead Auction (7DA) - possibility to book daily capacity products for either the following seven gas days in the current calendar month, or the following days remaining in the current calendar month if less than seven days are left.

- Balance of the Month Auction (NOT product) - As Balance-of-Month is not standardized across the market, we have opted for a new, potentially homogenous approach, the Balance of the Month auction, which allows an equal volume of daily standard capacity products to be booked in one UPA auction for the next gas day until the end of the month (the number of daily standard capacity products reflects the number of days remaining until the end of the month).

In the above two proposals, a shipper cannot choose individual days, i.e. all daily capacity products offered in the auction must be booked entirely. The proposals were developed as alternatives to one another.

- We favour the Balance of the Month auction and 7 DA auctions because they are simply new ways of auctioning daily products in advance. Such a design does not introduce a new standard capacity product with variable duration. Unlike the Balance of Month product, there is no need to make changes to other legislation such as CMP GL, TAR NC, REMIT to avoid ambiguity on the tariff multiplier of a new variable duration capacity product, for instance.

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**CAM NC**

**Article 10 – Applied capacity unit**

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<td>no</td>
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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)?

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

*
29 Please elaborate on why 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?

Gas Network Ireland agrees that this is fit for purpose.

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**CAM NC**

**Article 11 – Annual yearly capacity auctions**

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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>Additional booking opportunities</td>
<td>yes</td>
</tr>
</tbody>
</table>

- **Additional booking opportunities**
  - Any firm capacity available after ACAs will be auctioned in subsequent UPAs;
  - Proposed regularly: weekly, on Thursdays (subject to change according to flexibility proposal);
  - Once proposed via UPA, a product can no longer be proposed via ACA again.

*Note: See Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 “Greater flexibility to book firm capacity at IPs” 2023, p. 22.*

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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](image)
- ![Agree](image)
- ![Neutral](image)
- ![Disagree](image)
- ![Strongly disagree](image)

31 Please elaborate on why 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?

Gas Networks Ireland does not oppose adding additional uniform price auction opportunities as it would provide shippers with a safety net in case they missed the annual ascending clock capacity auction.

ACER and ENTSOG have proposed solutions / amendments to the FUNC issue ID 1/2020. The main proposal is to introduce additional booking opportunities via additional UPAs for yearly, quarterly, monthly and advance booking for daily products. However, we still need to provide a termination rule for ACA to allow for UPA to start. Indeed, there are two options proposed in the FUNC issue solution note that both have pros and cons. Further analysis is needed. Either we force all ACAs to close without allocating capacity in order to be able to start, at the same time all the new UPAs, or not. In the second case, we will have allocation of capacity during the first auction, i.e. ACAs but we will have subsequent UPAs not starting at the same time. There has to be also assessment made regarding the minimum prices of additional UPA auctions.
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?

Please refer to the answer given for q 31
### Additional booking opportunities
- Any M firm capacity available after ACAs will be auctioned in subsequent UPAs.
- Proposed regularly weekly, on Thursdays (subject to change according to flexibility proposal).
- Once proposed via UPA, a product can no longer be proposed via ACA again (ACER and ENTSOG have diverging views on the implementation).


### 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.


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**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)?

<table>
<thead>
<tr>
<th>Strongly agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly disagree</th>
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An amendment may further improve the market functioning and better capacity allocation

**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?

Gas Network Ireland disagrees with this proposal as it would be of little to no benefit and may require complex systemization.
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?

Please refer to the answer given in q27
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<tr>
<td>FUNC 01/2020 “Greater flexibility to book firm capacity at IPs” – Issue Solution and Issue Solutions Supporting Note</td>
<td>Advance booking of day-ahead products • 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” 2020, p. 18]</td>
<td>yes</td>
</tr>
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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)?

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

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

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?

Refer to answer given in q 27
**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?

An earlier closing time would mean that network users would know earlier whether they had succeeded in acquiring capacity and it would give TSOs extra time to perform system maintenance, for example. Some TSOs have received feedback from their users that they would need a wider time frame in order to have the opportunity to balance themselves through IPs. Also in this light, it is an advantage for market participants to know where they stand earlier. However, we would like to leave this decision to market participants.
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?

Please refer to q 31
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?

This does not affect Gas Networks Ireland and therefore do not wish to comment as such.
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?

Gas Network Ireland strongly agree that this is fit for purpose.

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)?

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

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

- Gas Networks Ireland would like to underline that TSOs already maximise the offer of bundled capacity. No need for new definition – current definitions already cover the situation.

With regard to the question on VIPs understanding please note that in the Issue Solution ACER and ENTSOG proposed CAM NC amendment that would clarify whether:

Approach 1: All capacity goes to the VIP. In this approach the sum of technical capacity of all IPs contributing to the VIP will create a single VIP. All existing contracts for capacity at IPs contributing to the VIP shall be transferred to the VIP.

Approach 2: Only new capacity at the VIP, existing (may) stay at IP. In this approach the existing contracts remain on the IP and available capacities are marketed on the VIP.
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?

For further alignment to be done, it would need to first initiate changes in the governance of private law provisions, like commercial and civil law provisions regulating services from a private entity to another. Fundamental principles of civil law remain country specific. Therefore, a harmonization project would be a long and labor intensive process dealing with those various national legal systems specificities. The whole harmonization project would be compromised when the content of transport contracts is imposed, even in one country only, by national laws. Due to Gas Network Ireland's Moffat interconnector based in the UK we strongly disagree with this proposal as would lead to further legal complications with a third party country.
*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?

Gas Networks Ireland does not see any added value of having the same conversion model.

I CAM NC, Chapter V
Incremental capacity process (Articles 22-31)
There should be some voluntary mechanism left in the CAM NC for TSOs giving a general framework for the possible procedure of creating incremental capacity. Gas Networks Ireland believes that incremental process if made voluntary and simpler, would be a good mechanism as it also allows market to express its demand. Other general proposals:

- Improvements that would result in a more flexible process, responsive to evolving or local circumstances.
- It should be clearly stated that INC process is possible within one year.
- If binding phase ends with positive economic test the investment shall be automatically included in National Ten-Year Development Plan and taken into consideration in tariff process.
**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?**

Gas Networks Ireland disagrees with the deletion of this chapter, this should be a voluntary process.
CAM NC

Article 24 – Combination into single economic test

<table>
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<tr>
<th>Policy paper reference</th>
<th>Nature of proposal in the policy paper</th>
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<tbody>
<tr>
<td>0</td>
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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>
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- Hydrogen and decarbonised gas markets package must fix legal bases
- JUDGMENT OF THE GENERAL COURT, 16 March 2022, Case T-694/19 and T-704/19

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

- 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?

With regard to economic test it shall be mentioned that TAR NC (Chapter IX, art. 33) provides Tariff principles for incremental capacity i.a. with regard to mandatory minimum premium which may be applied to reserve price and is subject to NRA approval. If incremental chapter is deleted from CAM NC, NRAs would not have any more a delegation to approve the Minimum Mandatory Premium MR which in many cases is necessary to enable a positive economic test.
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- Hydrogen and decarbonised gas markets package must fix legal basis
- JUDGMENT OF THE GENERAL COURT, 16 March 2022, in Joined Cases T-694/19 and T-704/19

• 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?

Gas Networks Ireland disagrees to deletion of INC chapter. However, this chapter should be simplified and made voluntary. Then, from a Gas Networks Ireland perspective, no changes are needed to rules concerning publication of the economic test. Gas Networks Ireland disagrees with the deletion of the INC chapter. However, this chapter should be simplified and made voluntary.
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?

Gas Networks Ireland disagrees to deletion of INC chapter. However, this chapter should be simplified and made voluntary. Then, Gas Networks Ireland agrees that changes are necessary with regard to demand assessment process. Following changes are proposed by Gas Networks Ireland:

- Voluntary process - Demand assessment to be started on the voluntary basis;
- More flexibility for the process timeframe: TSOs should not be limited by current timeframes/ no obligation to run the demand assessment process every two years, leaving the market an option to indicate demand in whenever needed;
- Less administrative burden - only borders with a demand for incremental capacity need to publish a MDAR.
- Stronger cooperation - TSOs should be obliged to share the inquiry of incremental capacity with the adjacent TSO so that the TSO on the other side of the border can take the necessary measures.
- There should be possibility to impose mandatory fees by TSO for all non-binding indications under market screening part but without requirement of prior approval by the NRA. Most importantly their amount should be high enough to compensate TSOs work and analysis. The fee could be returned if binding indication during allocation phase is at least at the same level as in non-binding phase.; Fees should be cost-reflective.
- there should be an additional phase in the procedure where after publication of MDAR,
market users who submitted non-binding demand indications shall be obliged to confirm their demand by paying the fee determined by the operator covering costs of further incremental process phases, in particular deriving from technical analysis and workforce.

CAM NC
Article 27 – Design phase*

<table>
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<td>maybe</td>
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* 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)?

- 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?

Gas Networks Ireland disagrees to deletion of INC chapter. However, this chapter should be simplified and made voluntary. Then, Gas Networks Ireland agrees that changes are necessary with regard to design phase and proposes the following changes:

- Adjusting the design phase timeframe as current 12 weeks given for internal technical analysis and developing TSOs joint draft project proposal for consultation is too short comparing to the subsequent period predicted for project finalization and NRAs approval.
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?

Gas Networks Ireland disagrees to deletion of INC chapter. However, this chapter should be simplified and made voluntary. Then, Gas Networks Ireland agrees that changes are necessary with regard to approval and publication and proposes the following changes:

- NRA shall have max 3 months for approval of INC project proposal, eventually with a possibility to prolong by one month. Each TSO shall submit the project for approval by its NRA, without requirement of coordination decisions.
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?

Gas Networks Ireland disagrees to deletion of INC chapter. However, this chapter should be simplified and made voluntary. Then, Gas Networks Ireland agrees that changes are necessary with regard to auctioning of the incremental capacity and proposes the following changes:

- Neighboring TSO’s should be allowed to run bundled auctions for incremental capacity regardless of the auction calendar;
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?

Gas Networks Ireland disagrees to deletion of INC chapter. However, this chapter should be simplified and made voluntary. Then, Gas Networks Ireland agrees that changes are necessary with regard to principles for alternative allocation mechanism and proposes the following changes:

- Alternative Allocation Mechanism shall be allowed not only for multi-IP projects but also for single-IP projects if TSOs see benefits of such approach and unless it is approved by the NRAs (like Open Season Procedures in the past).
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?

Gas Network Ireland strongly agrees.

J CAM NC, Chapter VI
Interruptible capacity (Articles 32-36)
<table>
<thead>
<tr>
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<td>ACER Special Report on addressing congestion in North-West European gas markets</td>
<td>• “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)</td>
<td>yes</td>
</tr>
<tr>
<td>FUNC 01/2020 “Greater flexibility to book firm capacity at IPAs” - Issue Solution and Issue Solutions Supporting Note</td>
<td>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 IPAs” 2023, p. 14-19)</td>
<td>yes</td>
</tr>
<tr>
<td>Move Y, Q, M Interruptible auctions from ACA to UPA</td>
<td>• 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 IPAs” 2023, p. 23)</td>
<td>maybe</td>
</tr>
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*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?

Please refer to q 21
Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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

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

Gas Network agrees that there is no need for change to the minimum interruption lead times
* 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?

Gas Networks Ireland agrees, that there is no need for change.
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?

Gas Networks Ireland agrees there is no need for a change to article 35.
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?

Gas Networks Ireland agrees there is no need for any change to article 36

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?

Gas Networks Ireland remains neutral as can see the benefit of a review of ACER’s involvement in the selection process.

L CAM NC, Chapter VIII
Final provisions (Articles 37A-40)
86 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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

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

Gas Networks Ireland believes that defined flexibility should be allowed for changes of CAM NC in less formalised and time-consuming way than official network code amendment process. Nonetheless, process flexibility shall not undermine such principles as market stability and transparency. While introducing new flexibility rule following things should be taken into consideration:

- CAM NC principles provide stable and standardized rules for the market to understand as core cross border trading arrangements. Unpredictable changes could divert from these principles and destabilise the market.

- The CAM NC is built on balanced inputs from all the relevant stakeholders and therefore should maintain balance between granting individuals or entities the necessary discretion to make decisions and ensuring that there are checks and balances in place.

- The official amendment process should clearly define the objective criteria for the process start to be clear to all stakeholders. Before triggering the process there should be a clear and positive CBA evidence in making the changes.

- The timeline of the process and the consultation should be clearly defined.
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?

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

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

Gas Networks Ireland would repeat the ENTSOG comments within their own response. Further, Gas Networks Ireland is in the unique position in that its neighboring TSO is the United Kingdom which is now a third country.

The United Kingdom is presently bound by the current provisions of the CAM NC but may chose not to be bound by any amendments thereto.

As it has been proven so far, full harmonisation is not always the best option. If proper level of flexibility is provided to the market and TSOs – the most optimized offer taking into consideration network specification, different geographical indicators as well as individual specificities, can be given to network users. Therefore, in Gas Networks Irelands view the overarching principle should be to give market the best possible solutions enabling liquid flow and transparent rules.

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!