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

Fields marked with * are mandatory.

A Introduction

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

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

Against this background, the latest European Gas Regulatory Forum has emphasised the importance of having gas market rules which can adequately reflect this evolution, and therefore prompted for the revision of the capacity allocation mechanisms network code (CAM NC).
As part of ACER’s review of the Network Code for Capacity Allocation Mechanisms (‘CAM NC’), ACER is assessing the achievements of CAM NC and scoping the areas of improvement.

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

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

Please send your response to the questions by 5 January 2024, 12:00 noon (CET).
We invite stakeholders to bring forward concrete and succinct reasonings. Overly lengthy responses may not be processed.
The survey was corrected on 17 November for missing questions.

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

B General information

1 Name and Surname: 

2 Email 
reg.affairs.wholesale@sefe-mt.com

3 Company: 
SEFE

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

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?

We support the wording and general concept of maximising availability of capacity and strengthening coordination between TSOs and harmonisation of calculation methodologies. We don’t share in full the strong focus put on bundled capacity. We consider that in some circumstances non-bundled solutions can also help maximisation of capacity availability

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

CAM NC
Article 1 – Subject matter

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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?

No comment

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

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

We generally agree with the idea that all allocation methodologies should respect core CAM NC principles. However, we do not share the view that Implicit Allocation Mechanisms currently in place would no longer benefit from the non-application of articles mandating building of capacity. We believe that the possibility for IAMs to be excluded from certain bundling obligations should be maintained, particularly where it has been implemented successfully on merchant pipelines such as Interconnector and BBL. Conversely we recognise this may not be the case for regulated TSOs which already benefit form an allocated revenues.

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?

We generally agree with the idea that all allocation methodologies should respect core CAM NC principles. However, we do not share the view that Implicit Allocation Mechanisms currently in place would no longer benefit from the non-application of articles mandating building of capacity. We believe that the possibility for IAMs to be excluded from certain bundling obligations should be maintained, particularly where it has been implemented successfully on merchant pipelines such as Interconnector and BBL. Conversely we recognise this may not be the case for regulated TSOs which already benefit form an allocated revenues.
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 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 are three separate issues defined here. We comment separately for each.
Neutral: We are generally neutral to the realignment of CAM auction calendar dates to span July-June

Disagree: We don’t support the concept of “non-static technical capacity” as it brings additional complexity in the management of its valuation for shippers. Firm capacity should be offered based on guaranteed firm flows in all scenarios. We appreciate that in certain scenarios, physical flows can be above this rate but the level of firm capacity on offer should be maintained, especially in the short-term (for current GY post last auction). An example of this detriment was when additional firm capacity was marketed on the German entry from Belgium post the GY auctions when shippers who bought interruptible capacity long term (at a premium) where unfairly penalised when additional firm capacity was marketed within-year. As a worst case, if additional firm capacity is offered then holders of long-term interruptible capacity should be given a first right to upgrade product with no penalty (i.e. only paying firm rate instead of interruptible)

Disagree: the definition of Implicit Allocation is considered appropriate in its current form. We do not support the proposed change or any obligation to have bundled capacity mandated for Implicit Allocation Mechanism. CAM already foresees appropriate checks and regulatory processes for allowing IAM to be established, which we believe are sufficient to ensure competition and efficiency in capacity allocation.

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

Cam NC Article 4 – Coordination of maintenance

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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?

Neutral: in most instances we believe current processes to be sufficient with any improvements focusing on more advanced certainty surrounding the severity and impact of the maintenance, i.e. some publications are too wide ranging in terms of impacted days and volumes.
Agree: Merchant pipelines (e.g. Interconnector and BBL) and other significant routes impacting flows should be co-ordinated to ensure least impact on market.

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?

no comment
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?
As mentioned in response to no.15, SEFE does not believe that any dynamic adjustment can provide additional benefit but rather create negative distortions and impact negatively the capacity product valuation. We support a greater offering of interruptible products so shippers can book these more freely at their own risk.

**CAM NC**

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

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

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

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

- [ ] no comment

**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?
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?

We are unsure of the additional benefit of being able to book daily capacities in advance. More recurring auctions creates additional complexity in operational management and reduces transparency. There are already too many auctions with rolling WD products. A lack of liquidity on these products generally and potential new tariff tenors for strips of capacity required. However we see a benefit in having auctions covering capacity for weekend and DA on a Friday to align with the traded market, along with earlier windows prior to bank holidays to ensure shippers can properly manage those periods (as with ICIS Heren publication)
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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)?

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

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

  no comment
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?

We recognise the opportunity of allowing shippers to book yearly capacity closer to the real time. However, the proposed weekly auction recurrence is in our opinion not practical. As per above, adding recurrent weekly auctions would simply additional operational complexity. We would support instead the opportunity to buy capacity on a first-come first served based. This would maintain the competitive process of yearly auctions while allowing shippers who can optimise capacity to obtain it when required without the need of additional operational complexity. However it must be ensured that it is only available once final auction for the product has finished.
**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
- [x] 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?

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

- **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?

Similar reasoning as for answer no 31
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?

We don’t see any need to introduce this auction product for reasons outlined above.
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?

No need for rolling auctions as already outlined above. Also the cut-off date of rolling offering could end up being a weekend or festive period and this would impede a shipper to get the advance booking for that specific period. We would support additional weekend and DA auctions on a Friday and earlier auctions around public holidays to align with traded markets.
• 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?

Unnecessary to have such a long window for first WD auction. Would support an additional product that closes 30mins after open at 1900CET, then can roll additional WD auctions with standard notice closer to delivery starting with full 24hrs.
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?

As already outlined we don’t support additional auctions but understand the rationale for greater opportunity to contract capacity post CAM calendar. We would rather support a first come first served approach.
### Article 17 – Ascending clock auction algorithm

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| 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 partly decide to modify the level of price steps during the auction process (cf. Annex I – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 “Greater flexibility to book firm capacity at IPs” 2020, p. 24)  
- Provide for a termination rule of ACAs, to allow UPAs to take place (cf. Annex I – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 “Greater flexibility to book firm capacity at IPs” 2020, p. 24) | 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  
- The option of a pro-rata allocation under ACAs was overall not considered optimal by NRAs and TSOs so far 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 I – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 “Greater flexibility to book firm capacity at IPs” 2020, p. 24)  
- 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 I – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 “Greater flexibility to book firm capacity at IPs” 2020, p. 24) | 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 of maximization of allocated volumes and risk of price manipulation (cf. CNMC note) | maybe |

### 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?

In general, we believe that flexibility to change the price steps during an ongoing auction would be detrimental to shippers. The freedom to implement adjustment should be limited and controlled. If that is an issue then uniform price auctions could be taken as an alternative.
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?

no comment

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

<table>
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<tbody>
<tr>
<td>ACER Special Report on addressing congestion in North-West European gas markets</td>
<td>• neighbouring TSOs to &quot;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.&quot; (p. 16)</td>
<td>yes</td>
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<tr>
<td>ACER Monitoring Update on Incremental Capacity Projects and Virtual Interconnection Points – 2020</td>
<td></td>
<td>yes*</td>
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<tr>
<td>FUNC 04/2018 &quot;Implementation of Virtual Interconnection Points&quot; - Solutions note</td>
<td>• “Ambiguity in text of Regulation 459/2017 (NC CAM) regarding the way of implementation of virtual interconnection points (VIPs)”</td>
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* Hydrogen and decarbonised gas markets package might clarify it already. EC proposal reads “[…] Any contracted capacity at the interconnection points, regardless of the date of its conclusion, shall be transferred to the virtual interconnection points.”

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

We generally agree with the principle of maximisation of available capacity on offer. But as mentioned earlier we still believe unbundled capacities can offer optimisation opportunities in some circumstances.
Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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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?

Supporting shipper with effective capacity conversion mechanisms is considered beneficial to avoid / resolve mismatches. Both primary and secondary capacity holders should be able to utilise such conversion services.

I CAM NC, Chapter V
Incremental capacity process (Articles 22-31)
Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

- Strongly agree
- Agree
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No comment
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<tr>
<td>N/A</td>
<td>The chapter on incremental capacity should be deleted from the NC. Triggering (cross-border) investments in light of climate neutrality objectives could be considered contradicting and experience with incremental processes in the past showed little relevance against cumbersome procedures.</td>
<td>maybe</td>
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* 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?

no comment
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?

- no comment
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An amendment may further improve the market functioning and better capacity allocation

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

no comment
* 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
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  - [ ] 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?

* no comment
CAM NC
Article 30 – Principles for alternative allocation mechanisms

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

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

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)?

- 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?

no comment
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?

no comment

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

Article 32 – Allocation of interruptible services

<table>
<thead>
<tr>
<th>Policy paper reference</th>
<th>Nature of proposal in the policy paper</th>
<th>Area of improvement</th>
</tr>
</thead>
<tbody>
<tr>
<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 IPs” - 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 IPs” 2023, p. 1-19)</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 IPs” 2023, p. 23)</td>
<td>maybe</td>
</tr>
</tbody>
</table>

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

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

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

As mentioned earlier, we are favourable to the maximisation of the available capacity, also interruptible. However, interruptible capacity should not be bundled in any circumstance due to the nature of the product. Interruptible auctions should follow the same process as we’ve outlined for firm products.
* 76 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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

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

no comment
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)?

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

No comment
* 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?

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

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

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

no comment

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?

no comment

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

no comment
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- **Disagree**
- **Strongly disagree**

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

*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?*

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

no comment

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

no comment
Do you have any other comments or suggestions?

n/a

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