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

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: [Redacted]

2. Email: [Redacted]@uniper.energy

3. Company: Uniper Global Commodities SE

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

NON-confidential answer: We support review after a certain period of time regarding the needs of market participants (core principles). In general, maximizing the technical available capacity is reasonable and in shippers’ interests. However, we strongly vote to keep and/or to implement the principle to offer unbundled interruptible capacities at IPs/VIPs, even if firm capacity is not sold out. With this instrument shippers with heritage contracts at the flange have the possibility to fulfill their contractual obligations and serve Security of Supply. Without any improvement mandatory bundling of interruptible capacities would hamper a well-working system optimizing capacities at borders for shippers and TSO’s.

E CAM NC, Chapter I,
General provisions (Articles 1-3)
10. Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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

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 changes necessary from shippers perspective.
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

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)?

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

Implicit Allocation Mechanism (IAM) has been highly successful in further facilitating cross border trade and such mechanisms are highly appreciated. The current rules regarding IAM are sufficient and do not need to be changed. Especially for pipelines connecting two countries the current IAM is working very well. New rules would hamper this IAM in general, because it would be necessary to bundle capacities of three TSOs.
**CAM NC**  
**Article 3 – Definitions* (1/2)**

<table>
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| ACER Special Report on addressing congestion in North-West European gas markets | • “Introduce the concept of ‘technical capacity’, which refers to the (non-static) maximum-flow capacity at a (virtual) interconnection point considering the network that is optimised for a most likely flow scenario, as opposed to ‘firm technical capacity’, which is the capacity that can be guaranteed in all flow scenarios. Both indicators shall be reported and updated by TSOs regularly.” (p. 11)  
• Time elements to be considered in these dynamic definitions.  
(CAM TF) | yes* |
| FUNC 01/2020 “Greater Flexibility to book firm capacity at IPs” - Issue Solution and Issue Solutions Supporting Note | • Realign auction calendar dates to span July-December | yes |

* Alignment with definitions provided by hydrogen and de-carbonised gas markets package

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**CAM NC**  
**Article 3 – Definitions* (2/2)**

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| N/A | Review definition of implicit allocation (alignment with the key principles, in particular bundling)  
(CAM TF)  
• “Implicit allocation method” means a capacity allocation method where, possibly by means of an auction, both transmission capacity > on both sides of the border < and a corresponding quantity of gas are allocated at the same time;” (Article 3(5) of CAM NC, with textual clarification) | yes |

* Alignment with definitions provided by hydrogen and de-carbonised gas markets package

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

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

15 Please elaborate on why do you agree or disagree with ACER’s review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?
We oppose the concept of cross-border bundling as part of the IAM. The current rules regarding IAM are sufficient and do not need to be changed. Especially for pipelines connecting two countries the current IAM is working very well. New rules would hamper this IAM in general, because it would be necessary to bundle capacities of three TSOs.

Regarding the definition of technical capacity we are not in the position to comment, as there needs to be further detailed information/explanation in this regard.

Regarding re-alignment of auction calendar dates, we appreciate more flexibility when booking capacities. However, the frequency of auction should not lead to a “back door” implementation of first-come-first-served.

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

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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?

Cross-border coordination of TSOs works - generally speaking - ok.
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?

Standard communication procedures work ok, in general.
Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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

Please elaborate on why do you agree or disagree with ACER’s review, being specific about which elements you agree or disagree with? Are there further improvements that you consider relevant in this area in addition to the ones raised by ACER in the scoping document; please explain your reasoning?
We strongly oppose a bundling of firm and interruptible capacities, because these are different products by nature. Also, we support to keep/introduce the possibility to book unbundled interruptible capacities even if firm capacity is not sold out. With this instrument shippers with heritage contracts at the flange have the possibility to fulfil their contractual obligations and serve security of supply. Regarding conditional products, we do not consider these as a firm product. Therefore we oppose integrating conditional products as firm capacity products.

CAM NC

Article 7 – Exchange of information between adjacent transmission system operators

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

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

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

Works in general ok.

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?
In general, we support keeping the current system rules.

CAM NC
Article 9 – Standard capacity products

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Relation with NC TAR – setting the tariff for the product

\*26 Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

- \( \bigcirc \) Strongly agree
- \( \bigcirc \) Agree
- \( \bigcirc \) Neutral
- \( \bigcirc \) Disagree
- \( \bigcirc \) 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 support the introduction of a Balance-of-Month product, as the commodity is also sold this way and reflects market behavior. Auctions should be daily.
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 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 changes needed.
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)?

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

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

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 support weekly auctions UPAs for capacity bookings with duration of 1 up to 3 months.
Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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

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

We support monthly UPAs for quarterly capacity. Hence, too many auctions might lead to FCFS situations.
**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?**

ACA’s should not be terminated in favor of UPA’s.
Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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

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

We support the introduction of a Balance-of-Month product, as the commodity is also sold this way and reflects market behavior.
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?

Changes are supported.
**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?

Alignment with the trading day is needed. Closing of market time should be considered (21h is fine).
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?

Makes sense given the high number of additional auctions, UPAs ensure timely contracting of capacity. Avoid unnecessary bidding rounds.
**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?

We agree that TSO’s can adjust price steps after jointly decision. We reject a pro-rata allocation in the ACA algorithm.
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?

Functions well.

H CAM NC, Chapter IV
Bundling of capacity at interconnection points (Articles 19-21)
**48** Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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

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

Non-confidential answer: Maximization of firm capacity is positive from a shippers perspective. However, we strongly vote to keep and/or to implement the principle to offer unbundled interruptible capacities at IPs/VIPs, even if firm capacity is not sold out. With this instrument shippers with heritage contracts at the flange have the possibility to fulfill their contractual obligations and serve Security of Supply. Without any improvement mandatory bundling of interruptible capacities would hamper a well-working system optimizing capacities at borders for shippers and TSO’s.
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?

Respective national laws have specific regulations which should be kept.
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?

Shift of contracted IP capacity (also concluded before 2015) into contracted VIP capacity shall be enabled at first, as this is necessary for a conversion. We agree that the same conversion model should apply as described above.

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

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

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

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

The IC process it too complicated and not practicable, but there should be any kind of process for new infrastructure providing new grid capacities.
Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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

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

The IC process it too complicated and not practicable, but there should be any kind of process for new infrastructure providing new grid capacities.
58 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

- Strongly agree
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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?

The IC process it too complicated and not practicable, but there should be any kind of process for new infrastructure providing new grid capacities.
Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

- Strongly agree
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The IC process it too complicated and not practicable, but there should be any kind of process for new infrastructure providing new grid capacities.
62 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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

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

The IC process it too complicated and not practicable, but there should be any kind of process for new infrastructure providing new grid capacities.
**64** Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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

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

The IC process it too complicated and not practicable, but there should be any kind of process for new infrastructure providing new grid capacities.
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An amendment may further improve the market functioning and better capacity allocation

- Strongly agree
- Agree
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- Strongly disagree

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

The IC process it too complicated and not practicable, but there should be any kind of process for new infrastructure providing new grid capacities.
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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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- Hydrogen and decarbonised gas markets package must fix legal bases
- JUDGMENT OF THE GENERAL COURT - 16 March 2022 (C-116/19, Joined Cases T-694/18 and T-704/19)

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

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

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

The IC process it too complicated and not practicable, but there should be any kind of process for new infrastructure providing new grid capacities.
Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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

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

The IC process it too complicated and not practicable, but there should be any kind of process for new infrastructure providing new grid capacities.
Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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

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

The IC process it too complicated and not practicable, but there should be any kind of process for new infrastructure providing new grid capacities.

J CAM NC, Chapter VI
Interruptible capacity (Articles 32-36)
74 Do you agree with ACER’s review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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?

NON-confidential answer: We strongly vote to keep and/or to implement the principle to offer unbundled interruptible capacities at IPs/VIPs, even if firm capacity is not sold out. With this instrument shippers with heritage contracts at the flange have the possibility to fulfill their contractual obligations and serve Security of Supply. Firm and interruptible capacities should not be bundled from a trading perspective, as shippers would end up with an interruptible product in that case.
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?

Works ok. An information by TSO’s as early as possible is necessary from a trading perspective.
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)?

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

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

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 comments.
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 comments.
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 comments.

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. In general two EU auction platforms should be enough.

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

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

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

Questions is not clear. Changes reg. NC CAM should be carefully considered and consolidated. We oppose a general clause for any kind of changes.
<table>
<thead>
<tr>
<th>Policy paper reference</th>
<th>Nature of proposal in the policy paper</th>
<th>Area of improvement</th>
</tr>
</thead>
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<td>• Based on the nature of point 4 of the article (conditionlities report), it may be redundant or to be updated</td>
<td>yes</td>
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</table>

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

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

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

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

Question is not clear.
90 This article concerns legal procedural matters; please write down any comments you may have on this article?

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

NON-confidential answer: We strongly vote to keep and/or to implement the principle to offer unbundled interruptible capacities at IPs/VIPs, even if firm capacity is not sold out. With this instrument shippers with heritage contracts at the flange have the possibility to fulfil their contractual obligations and serve Security of Supply. Without any improvement, mandatory bundling of interruptible capacities would hamper a well-working system optimizing capacities at borders for shippers and TSO’s.

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!