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

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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 $n \circ t$ $b \circ e$ $p \circ c \circ e \circ s \circ e \circ d$. 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 <u>Data Protection Notice</u>

B General information

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LU - Luxembourg
MT - Malta
NL - Netherlands
PL - Poland
PT - Portugal
RO - Romania
SK - Slovak Republic
SI - Slovenia
ES - Spain

6 Business field:		
TSO TSO		
O DSO		
Shipper/trader		
Association		
Other		
7 Please specify if other:		

C Consultation documents

5 Please specify if other:

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



CAM NC Preamble - point (x) (new)

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
ACER Special Report on addressing congestion in North-West European gas markets	 To maximise technical capacity as well as (bundled) firm capacity (cf. p.15-17) A further strengthening of coordination between neighbouring system operators and regulatory authorities is needed, for instance, by harmonising calculation methodologies (cf. p. 16) 	yes
N/A	Clear recital or New article on CAM principles The core principles of capacity allocation mechanism must be explicitly defined in the NC. Allocation capacity mechanisms must guarantee the well-functioning of the internal market (GTM, guarantee the gas flows, not bottlenecks, bundled offer, cascading principle, market-based allocation, etc.).	yes

6

(yes=amendment identified, maybe	w of the CAM NC Preamble and the identified area(s) of improvement e= amendment may improve market, no=no change envisioned)? Parket functioning and better capacity allocation
elements you agree or disagree with	agree or disagree with ACER's review, being specific about which th? Are there further improvements that you consider relevant in this by ACER in the scoping document; please explain your reasoning?
We welcome a clear statement of	on CAM principles.
E CAM NC, Chapter I, General provisions (Artic	cles 1-3)
ACER European Union Agency for the Cooperation of Energy Regulators	CAM NC Article 1 – Subject matter
Policy paper reference	Nature of proposal in the policy paper Area of improvement
	8

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?

There is no need for improvement.



CAM NC Article 2 – Scope

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
N/A	 "When implicit allocation methods are applied, NRAs may decide not to apply article 8 to 37." (Article 5(2) of CAM NC) Make sure mechanisms of implicit allocation (IA) are consistent with the key principles of the CAM NC, in particular the principle of capacity bundling. To avoid distortions in the functioning of the Internal Market, CNMC considers that all capacity allocation mechanisms must respect the core principles of CAM. Consequently, the CAM NC should be revised article by article (in particular, art.8 to art.37) to analyse the consequences of not applying those articles when implicit allocation is in place. Coordination when deciding and bundling as two key principles also for IA (CAM TF) 	yes

9

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

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

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

There should be an assessment regarding the consistentancy with the key principles of NC CAM before implicit allocation are in place.



Policy paper reference	Nature of proposal in the policy paper	Area of improvement
ACER Special Report on addressing congestion in North-West European gas markets	Time elements to be considered in these dynamic definitions; (CAM TF) Relation with Transparency annex – publication requirement "Introduce the concept of 'technical capacity', which is the capacity that can be guaranteed in all flow scenarios. Both indicators shall be reported and updated by TSOs regularly;" (p. 17) Relation with Transparency annex – publication requirement	yes*
FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note	Realign auction calendar dates to span July-June	yes

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

10



CAM NC Article 3 – Definitions* (2/2)

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

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

11

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

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

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

To predict the likelyhood of interruptions it would be helpful to have the transparency about the "technical capacity" and the "firm technical capacity".

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



Article 4 – Coordination of maintenance

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

13

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

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

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



CAM NC Article 5 – Standardisation of communication

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	1	no

14

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

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

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



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

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
ACER Special Report on addressing congestion in North-West European gas markets	• "Introduce the concept of 'technical capacity', which refers to the (non-static) maximum-flow capacity at a (virtual) interconnection point considering the network that is optimised for a most likely flow scenario, as opposed to 'firm technical-capacity', which is the capacity that can be guaranteed in all flow scenarios. Both indicators shall be reported and updated by TSOs regularly;" (p.17) • Time element to be considered (CAM TF) Relation with Transparency annex – publication requirement	yes*
ACER Special Report on addressing congestion in North-West European gas markets	 "Promote further harmonisation in the offering of interruptible capacities considering 'technical capacity'," (p. 17) 	yes

15



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

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

16

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

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

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

Conditional capacity products should be strongly limited due to their interruptle acces to the VTP. We doubt her firm character.

ACER Lucque In Union Agency for the Cooperation Of Energy Regulators Article 7 — Exchange of information between adjacent transmission system operators

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	1	no

17

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

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

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

There is no need for improvement.

G CAM NC, Chapter III

Allocation of firm capacity products (Articles 8-18)



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

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note	Possibly revisit the set-aside rules of points (6) and (7) "ACER and ENTSOG did consider whether there would be a need to revise also the set-aside rules, in order to avoid capacity for the shorter-term products from being sold-out. No concrete proposal has been put forward as the current wording of the Article already allows for greater shares to be set aside. It can however be considered for the official amendment process whether higher volumes of capacity should be set aside, and/or if a dedicated set-aside rule should be applied to each short-term product" (Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 16)	maybe

19



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

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
FUNC 04/2019 "Auction restrictions NCG"	Relevance to be re-assessed "Given the auction-based capacity allocation according to CAM NC at IPs and the deviating capacity allocation process at DEPs based on national law, capacity cannot be allocated in a straightforward manner as competing capacities. Based on that, a reallocation of capacities from IP to DEP might be appropriate as an interim measure for such exceptional cases, if TSOs are guided by a number of predefined criteria: This procedure does not endanger security of supply both for customers supplied via the IP or the DEP There is <u>comprehensive reasonan</u> that there is indeed potential for competing demand for capacity at both IP and DEP and, in the absence of appropriate network expansion, the level of demand at the DEP cannot be mel without allocating capacity from the IP to the Capacity capacity general collected to the DEP and will be re-allocated again to the IP If it is no longer needed at The relevant network operator offering the efficient result of an alignment between the involved network operators of the market areas impacted by the reallocation. The highest level of transparency is enough suthorities (IPRAs) and network operators of the market areas impacted by the reallocation. The highest level of transparency is enough with crites (IPRAs) and network operators of the market areas impacted by the reallocation to saure that this intellim measure is last the abortest period of time possible: ("Auction Restrictions in the NCG Market Area Issue Solution Note 2020, p. 1-2)	maybe

20

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

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

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



CAM NC Article 9 – Standard capacity products

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
FUNC 01/2020 "Greater flexibility to book firm capacity at IPs" - Issue Solution and Issue Solutions Supporting Note	Advance booking of day-ahead products: Introduction of a 'Balance-of-Month' product [OPTION] (cf. Annex 1 – Issue Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 17)	yes
	Relation with NC TAR – setting the tariff for the product	

21

*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?

To match capacity and common trading products it would be useful to have the oppurtunity to book capacity until the end of the actual month. Instead of a new capacity product "Balance-of-Month" the more efficient solution would be to offer a joint booking of daily capacity products which covers the balance-of-month period.



CAM NC Article 10 – Applied capacity unit

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	1	no

22

* 28 Do you	agree with	ACER's review	w of this (CAM NC	article	and the	identified	area(s)	of improve	ment
(yes=amen	ndment idei	ntified, maybe	amendn	nent may	impro ر	e mark	et, no=no	change	envisioned	1)?

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?



CAM NC Article 11 – Annual yearly capacity auctions

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

23

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

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

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

This improvement would help to match the hedging requirements of trading companies and supports the system balance in advance.



CAM NC Article 12 – Annual quarterly capacity auctions

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

24

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

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

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

This improvement would help to match the hedging requirements of trading companies and supports the system balance in advance.



CAM NC Article 13 – Rolling monthly capacity auctions

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

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

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

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

This improvement would help to match the hedging requirements of trading companies and supports the system balance in advance.

25



Article 13A – Rolling balance-of-month capacity auctions (new)

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

26

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

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

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

To match capacity and common trading products it would be useful to have the oppurtunity to book capacity until the end of the actual month. Instead of a new capacity product "Balance-of-Month" the more efficient solution would be to offer a joint booking of daily capacity products which covers the balance-of-month period.



CAM NC Article 14 – Rolling day-ahead capacity auctions

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

27

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

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

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

To match capacity and common trading products it would be useful to have the oppurtunity to book capacity for the next 7 days but a rolling auction for joint booking of daily capacity products which covers the balance-of-month period is more important.



CAM NC Article 15 – Within-day capacity auctions

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

28

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

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

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

Both options are good.



CAM NC Article 16 – Auction algorithms

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

29

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

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

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

see answers 30 - 35.



CAM NC Article 17 – Ascending clock auction algorithm

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

* 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?

Modifying the level of price steps during the auction is not necessary. The given flexibility to adjust the steps prior the auction ist sufficent.



CAM NC Article 18 – Uniform-price auction algorithm

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	1	no

31

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

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

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

There is no need for improvement.

H CAM NC, Chapter IV

Bundling of capacity at interconnection points (Articles 19-21)



CAM NC Article 19 – Bundled capacity

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
ACER Special Report on addressing congestion in North-West European gas markets	 neighbouring TSOs to "jointly maximise marketing of firm bundled capacities as reflected in the indicator for 'firm technical capacity' and allocation of unbundled firm capacities as less as possible;" (p. 16) 	yes
ACER Monitoring Update on Incremental Capacity Projects and Virtual Interconnection Points – 2020;		yes*
FUNC 04/2018 "Implementation of Virtual Interconnection Points" - Solutions note	"Ambiguity in text of Regulation 459/2017 (NC CAM) regarding the way of implementation of virtual interconnection points (VIPs)" (Func Issue Solution Virtual Interconnection Points, p. 1)	

Hydrogen and decarbonised gas markets package might clarify it already: EC proposal reads "[] Any contracted capacity at the	33
interconnection points, regardless of the date of its conclusion, shall be transferred to the virtual interconnection point."	

* 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?

Cross border capacity to and from Germany is allready maximised.



Article 20 – Alignment of main terms and conditions for bundled capacity products

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

34

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

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

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

Harmonisation of terms and conditions could support the effectness of the internal market.



Article 21 – Bundling in case of existing transport contracts

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
ACER's comments on the Capacity Conversion Model created by ENTSOG pursuant to Article 21(3) of the NC CAM	 "ENTSOG does not provide for a harmonized conversion model. According to Article 21(3), NC CAM foresees that ENTSOG provides for a harmonized conversion model. The NC does not aim for the application of all potentially existing "conversion methods", which are designed individually by each TSO. The NC foresees that ENTSOG will coordinate across TSOs and propose a model that fits with the general principles of the NC CAM to offer "transparent and efficient allocation of capacity." (p. 3) "The Agency recommends that the same conversion model applies at least per entry-exit zone border, should several Interconnection Points connect the respective entry-exit zones." (p. 3) 	maybe

* Hydrogen and decarbonised gas markets package might clarify it already

35

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

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

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

Perhaps it ist difficult to propose such a model due to different national law and regulations.

I CAM NC, Chapter V

Incremental capacity process (Articles 22-31)



CAM NC Article 22 – Economic test*

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	1	no
N/A	The chapter on incremental capacity should be deleted from the NC. Triggering (cross-border) investments in light of climate neutrality objectives could be considered contradicting and experience with incremental processes in the past showed little relevance against cumbersome procedures.	maybe

Hydrogen and decarbonised gas markets package must fix legal basis JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/	37
JODGIVENT OF THE GENERAL COORT TO March 2022 () ITI Joined Cases 1-884/19 and 1-704/	<u> </u>

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

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

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

CAM NC Article 23 – The f-factor*

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	1	no
N/A	The chapter on incremental capacity should be deleted from the NC. Triggering (cross-border) investments in light of climate neutrality objectives could be considered contradicting and experience with incremental processes in the past showed little relevance against cumbersome procedures.	maybe

•	Hydrogen and decarbonised gas markets package must fix legal basis	38
•	JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/19	30

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

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

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



CAM NC Article 24 – Combination into single economic test*

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	I	no
N/A	The chapter on incremental capacity should be deleted from the NC. Triggering (cross-border) investments in light of climate neutrality objectives could be considered contradicting and experience with incremental processes in the past showed little relevance against cumbersome procedures.	maybe

 JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/19 	
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*58 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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



Article 25 – Publication requirements relating to the economic test*

Policy paper reference	olicy paper reference Nature of proposal in the policy paper	
1	1	no
N/A The chapter on incremental capacity should be deleted the NC. Triggering (cross-border) investments in light on eutrality objectives could be considered contradicting experience with incremental processes in the past shown relevance against cumbersome procedures.		maybe

 Hydrogen and decarbonised gas markets page JUDGMENT OF THE GENERAL COURT 16
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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?



CAM NC Article 26 – Market demand assessment*

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
2nd Monitoring Update on Incremental Capacity Projects - 2021	Frequency of process • "As far as the existing <u>incremental process</u> is concerned, the process is burdensome for TSOs and NRAs and, given the limited expectations on the future gas consumption, NRAs question whether the obligation to repeat the incremental-capacity cycle every 2 years for all gas interconnection points remains meaningful." (p. 12)	maybe
	Administrative fees • "Within the current rules, NRAs may, in line with Article 26(11) of the CAM NC, approve the <u>charaing of a fee to network users that wish to express non-binding interest</u> . Such fee shall reflect the administrative costs of the process and could help to attract more robust expressions of non-binding int-erest that have a better chance of being converted into bind-ing capacity bookings or lead to a closure of the incremental process in the earliest stage of the demand assessment." (p. 12)	
N/A	The chapter on incremental capacity should be deleted from the NC. Triggering (cross-border) investments in light of climate neutrality objectives could be considered contradicting and experience with incremental processes in the past showed little relevance against cumbersome procedures.	maybe

*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?

CAM NC Article 27 – Design phase*

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	l .	no
N/A	The chapter on incremental capacity should be deleted from the NC. Triggering (cross-border) investments in light of climate neutrality objectives could be considered contradicting and experience with incremental processes in the past showed little relevance against cumbersome procedures.	maybe

	Hydrogen and decarbonised gas markets package must fix legal basis JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/19	42
٠.	JUDGMENT OF THE GENERAL COURT TO March 2022 (*) In Joined Cases 1-684/19 and 1-704/19	

*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?



CAM NC Article 28 – Approval and publication*

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	1	no
N/A	The chapter on incremental capacity should be deleted from the NC. Triggering (cross-border) investments in light of climate neutrality objectives could be considered contradicting and experience with incremental processes in the past showed little relevance against cumbersome procedures.	maybe

Hydrogen and decarbonised gas markets package must fix legal basis JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/19	43
• JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases 1-684/19 and 1-704/19	

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

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

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



Article 29 – Auctioning of incremental capacity*

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	I	no
N/A	The chapter on incremental capacity should be deleted from the NC. Triggering (cross-border) investments in light of climate neutrality objectives could be considered contradicting and experience with incremental processes in the past showed little relevance against cumbersome procedures.	maybe

•	Hydrogen and decarbonised gas markets package must fix legal basis	44
	JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 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)?

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

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



CAM NC Article 30 – Principles for alternative allocation mechanisms*

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	1	no
N/A	The chapter on incremental capacity should be deleted from the NC. Triggering (cross-border) investments in light of climate neutrality objectives could be considered contradicting and experience with incremental processes in the past showed little relevance against cumbersome procedures.	maybe
	To be considered if for the case of multi-IP projects (longer corridors) a harmonised process has added value $({\tt CAMTF})$	

:	Hydrogen and decarbonised gas markets package must fix legal basis JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/19	45
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* 70 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improvement (yes=amendment identified, maybe= amendment may improve market, no=no change envisioned)?

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

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



CAM NC Article 31 – Transitional arrangements*

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	Based on the nature of the article it <u>may be</u> <u>redundant</u> or to be <u>updated</u>	yes
N/A	The chapter on incremental capacity should be deleted from the NC. Triggering (cross-border) investments in light of climate neutrality objectives could be considered contradicting and experience with incremental processes in the past showed little relevance against cumbersome procedures.	maybe

•	Hydrogen and decarbonised gas markets package must fix legal basis	4
	JUDGMENT OF THE GENERAL COURT 16 March 2022 (*) In Joined Cases T-684/19 and T-704/19	40

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

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

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

Before the chapter on incremental capacity would be deleted, there should be a dialogue about other measures to fulfill the market needs especially on the transition path.

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



CAM NC Article 32 – Allocation of interruptible services

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
ACER Special Report on addressing congestion in North-West European gas markets	"Neighbouring TSOs to extensively <u>coordinate</u> and <u>jointly</u> maximise the availability of firm and interruptible capacities;" (p. 4) Bundling as key principle for offering interruptible (CAM TF)	yes
Solution and Issue Solutions Supporting Note • Additional booking of Advance booking of Products for the followed by the month; In product) (cf. Annex 1 –	Additional Booking opportunition	yes
	Move Y, Q, M interruptible auctions from ACA to UPA It "should allow a quicker allocation and avoid the cases of inefficiencies of ACA under certain market conditions to effectively allocate interruptible capacity" (cf. Annex 1 – Issue	maybe
	Solution Supporting Note Evaluation of FUNC Issue 01/2020 "Greater flexibility to book firm capacity at IPs" 2023, p. 23)	

*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?

Maximising firm capacity should be priorisite. Unbundled interruptible products should be bookable as long as heritage unbundled contracts are not terminated.



CAM NC Article 33 – Minimum interruption lead times

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	1	no

49

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

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

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



CAM NC Article 34 – Coordination of interruption process

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	1	no

50

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

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

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



CAM NC Article 35 – Defined sequence of interruptions

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	1	no

51

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

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

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



CAM NC Article 36 – Reasons for interruptions

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	1	no

52

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

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

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

There is no need for improvement.

K CAM NC, Chapter VII

Capacity booking platforms (Article 37)



CAM NC Article 37 – Capacity booking platforms

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

54

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

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

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

Capacity products at every entry-exit-border-zone should be offered at only one booking platform.

L CAM NC, Chapter VIII

Final provisions (Articles 37A-40)



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

56

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

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

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

On the European transition path it would be important to get the trade off between regulatory stability and adoption of improvements from lived practise.



CAM NC Article 38 – Implementation monitoring

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

57

*88 Do you agree with ACER's review of this CAM NC article and the identified area(s) of improver	nent
(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?

The implementation monitoring should be continued.

M Other comments or suggestions

Policy paper reference	Nature of proposal in the policy paper	Area of improvement
1	I	1

58 90 This article concerns legal procedural matters; please write down any comments you may have on this article? **CAM NC ACER** Article 40 - Entry into force Policy paper reference Nature of proposal in the policy paper Area of improvement 59 91 This article concerns legal procedural matters; please write down any comments you may have on this article?

92	Do you have any other comments or suggestions?
	Yearly products should cover the calendar year instead of the gas year.

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