

DECISION No 10/2019
OF THE EUROPEAN UNION AGENCY
FOR THE COOPERATION OF ENERGY REGULATORS

of 6 August 2019

on the selection of a web-based booking platform to be used by TSOs for the offering of bundled gas transmission capacity at the “Mallnow” physical interconnection point and “GCP” virtual interconnection point

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators¹, and, in particular, Article 6(10)(b) thereof,

Having regard to Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005, and, in particular, Article 13(1) and 16(2) thereof,

Having regard to Commission Regulation (EU) 2017/459 of 16 March 2017 establishing a network code on capacity allocation mechanisms in gas transmission systems and repealing Regulation (EU) No 984/2013 (‘NC CAM’), and, in particular, Article 37(3) thereof,

Having regard to Commission Regulation (EU) 2015/703 of 30 April 2015 establishing a network code on interoperability and data exchange rules (‘NC IOP’),

Having regard to Commission Regulation (EU) No 312/2014 of 26 March 2014 establishing a Network Code on Gas Balancing of Transmission Networks (‘NC BAL’),

Having regard to Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency and Commission Implementing Regulation (EU) No 1348/2014 of 17 December 2014 on data reporting implementing Article 8(2) and Article 8(6) of Regulation (EU) No 1227/2011 of the European Parliament and of the Council on wholesale energy market integrity and transparency,

Having regard to the outcome of the public consultation of 9 April 2019,

¹ OJ L 158, 14.06.2019, p. 22.

Having regard to the favourable opinion of the Board of Regulators of 1 August 2019, delivered pursuant to Article 22(5)(a) of Regulation (EU) 2019/942,

Having regard to the evaluation of the European Union Agency for the Cooperation of Energy Regulators ('the Agency') concerning the offers submitted by operators of booking platforms following the Open Call for the selection of the capacity booking platform to be used at the "Mallnow" interconnection point and "GCP" virtual interconnection point,

Whereas:

1. INTRODUCTION

- (1) Transmission system operators ('TSOs') shall offer capacity by means of one or a limited number of joint web-based booking platforms in accordance with Article 37 of the NC CAM.
- (2) In order to do so, TSOs shall reach a contractual agreement to use a single booking platform to offer capacity on an interconnection point ('IP') or virtual interconnection point ('VIP').
- (3) If no agreement is reached by the TSOs within six months from the entry into force of the NC CAM, the matter should be referred by the TSOs to the respective national regulatory authorities ('NRAs'), who are called to select a single booking platform for a period of no more than three years.
- (4) In case the NRAs fail to reach an agreement within six months from the referral, the Agency is called upon to adopt a decision concerning the booking platform to be used, for a period no longer than three years, at the specific IP or VIP, in accordance with Article 6(10)(b) of Regulation (EU) 2019/942.
- (5) Following the selection of the joint web-based booking platforms by the Agency, TSOs shall reach an agreement with the selected booking platform, as specified in this Decision. At the latest by the end of the period for which a booking platform was selected by the NRAs or the Agency, the TSOs shall reach a final agreement among themselves on the joint web-based booking platform to be used after that period.

2. PROCEDURE

2.1. Proceedings before regulatory authorities

- (6) In the implementation of Article 37 of the NC CAM, Operator Gazociągów Systemowych GAZ-SYSTEM S.A.* (Poland) and Gascade Gastransport GmbH and Ontras Gastransport GmbH (Germany) attempted to reach an agreement on the use of a single web-based booking platform to be employed to offer capacity at the "Mallnow" IP and "GCP" VIP.

- (7) Absent an agreement within the required deadline, the matter was referred to the NRAs concerned – Bundesnetzagentur (‘BNetzA’) for Germany and Prezes Urzędu Regulacji Energetyki (URE) for Poland – on 6 and 16 October 2017, respectively.
- (8) The concerned NRAs did not reach an agreement on the use of a single web-based booking platform within six months starting on 16 October 2017, the date on which the latest referral was received by them. The concerned NRAs did not request an extension of the six-month period. The matter was therefore referred to the Agency.

2.2. Proceedings before the Agency

- (9) On 16 October 2018, the Agency adopted Decision No 11/2018 selecting the single web-based capacity booking platform to be used at the ‘Mallnow’ IP and ‘GCP’ VIP.
- (10) On 14 February 2019, with Decision No A-002-2018, the Board of Appeal of the Agency annulled Decision No 11/2018 of the Agency.
- (11) On 22 February 2019, the day the annulment of Decision No 11/2018 was published, the Agency launched a new procedure for the selection of a joint web-based booking platform to be used by TSOs for the offering of bundled gas transmission capacity at the ‘Mallnow’ IP and ‘GCP’ VIP.
- (12) On 9 April 2019, the Agency launched a public consultation² about the selection criteria for the single web-based capacity booking platform to be used at the ‘Mallnow’ IP and ‘GCP’ VIP³. The public consultation remained open until 30 April 2019.
- (13) On 8 May 2019, the Agency launched the Open Call for the selection of a web-based booking platform to be used by TSOs for the offering of bundled gas transmission capacity at the ‘Mallnow’ IP and ‘GCP’ VIP⁴, allowing any operator of booking platform of natural gas to submit an offer⁵.
- (14) By 7 June 2019, the closing date for the submission of offers, the Agency received applications from the following operators: GAZ-SYSTEM Auctions Platform – GAZ-

² Available at:

https://www.acer.europa.eu/Official_documents/Public_consultations/Pages/PC_2019_G_03.aspx

³ The Agency received 21 responses, among others, the response of the TSOs listed under Article 6 of this Decision, the response of URE, as well as the answers of the three capacity booking platforms showing interest in the selection process of the Agency.

⁴ Available at:

https://www.acer.europa.eu/en/Gas/Framework%20guidelines_and_network%20codes/OpenCallforGAS22019/Open%20call%20for%20GAS%202-2019.pdf#search=booking%20platform.

⁵ The Agency provided clarifications related to the procedure and the submissions to be provided with the purpose of submitting an offer on 7 June 2019. Available at:

https://www.acer.europa.eu/en/Gas/Framework%20guidelines_and_network%20codes/OpenCallforGAS22019/q%26a%20open%20call%20booking%20platform.pdf

SYSTEM S.A ('GSA'), PRISMA European Capacity Platform GmbH ('PRISMA'), and RBP – Regional Booking Platform – FGSZ Ltd ('RBP').

2.3. Assessment procedure

(15) In order to be considered, operators of booking platforms wishing to submit offers had to ensure:

- i. that the offering of capacity through their infrastructure would comply with the relevant provisions of Union law on the common rules for the internal market in natural gas and national law, applicable and necessary for the execution of the service contract with the above mentioned TSOs⁶, and
- ii. the presence of a flexible set of features ensuring, in general, a minimum operational reliability of their platform based on basic requirements and common practices applicable in information technology⁷, as explained in paragraph 19.

(16) In particular, operators had to ensure that the web-based booking platform guaranteed features fulfilling the following legal requirements and required functionalities stemming from Union law⁸:

- a. Allocation of firm capacity⁹,
- b. Allocation of interruptible services¹⁰,
- c. Bundling of capacity products¹¹,
- d. Ascending clock auctions (yearly, quarterly, monthly)¹²,
- e. Uniform price auctions (day-ahead, within-day)¹³,
- f. Day-ahead bid roll over¹⁴,
- g. Support of kWh/h and kWh/d as capacity unit¹⁵,

⁶ Section 1.1, Open Call of 8 May 2019 for the selection of a web-based booking platform to be used by TSOs for the offering of bundled gas transmission capacity at the "Mallnow" IP and "GCP" VIP, inviting operators of booking platforms to submit offers.

⁷ The public consultation revealed the importance to verify the minimum operational IT requirements per platform. The technical improvements suggested by the stakeholders responding to the consultation and related to the IT features were included in the updated version of the IT questionnaire on common IT practices.

⁸ Stakeholders confirmed the legal criteria proposed by the Agency. In addition, some respondents proposed to include optional legal features as compulsory, which was dismissed by the Agency. The Agency established the list of legal criteria based on its legal knowledge and ultimately with a view to avoid giving any preference to platforms that have some additional legal features that the others do not have, yet not required to perform capacity auctions.

⁹ Article 8 NC CAM.

¹⁰ Article 32 NC CAM.

¹¹ Articles 3(12), 19 and 21 NC CAM.

¹² Article 17 NC CAM.

¹³ Article 18 NC CAM.

¹⁴ Article 15(10) NC CAM

¹⁵ Article 10 NC CAM.

- h. Secondary capacity trading¹⁶,
- i. Automated bidding¹⁷,
- j. Reporting of platform transactions (bidders and public)¹⁸,
- k. Bundling of capacity on 1:n situations¹⁹,
- l. Offer of competing capacity products²⁰,
- m. Allocation of incremental capacity²¹,
- n. Surrender of capacity²²,
- o. Buyback of capacity²³,
- p. REMIT obligations²⁴,
- q. Interoperability and data exchange obligations²⁵,
- r. Avoidance of cross-subsidies between network users²⁶.

(17) In addition, due to the geographical location of the interconnection points, operators had to commit that the web-based booking platform guaranteed features fulfilling the following legal requirements and required functionalities stemming from the German applicable legislation²⁷. These national requirements and required functionalities are intertwined with the EU obligations and are necessary for the successful implementation of auctions in Germany. The following national requirements and required functionalities were covered:

- a. Assignment to balancing groups²⁸,
- b. Support for capacity upgrade services²⁹,
- c. Anonymity of all trading procedures³⁰,
- d. Support for individual capacity products³¹.

¹⁶ Article 37(2)(c) NC CAM.

¹⁷ Article 17(6) NC CAM.

¹⁸ Articles 11(10)-(11), 12(8)-(9), 13(8)-(9), 14(9)-(10), and 15(12)-(13) NC CAM.

¹⁹ Articles 3(14) and 8(2) NC CAM.

²⁰ Article 3(14) NC CAM.

²¹ Article 29 NC CAM.

²² Point 2.2.4 Commission Decision of 24 August 2012 on amending Annex I to Regulation (EC) No 715/2009 of the European Parliament and of the Council on conditions for access to the natural gas transmission networks (CMP Guidelines).

²³ Point 2.2.2 CMP Guidelines.

²⁴ Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency, in particular Article 15.

²⁵ Articles 5 and 7 NC CAM, Articles 20, 21 and 23(1) NC IOP.

²⁶ Article 13 of Regulation (EC) No 715/2009.

²⁷ According to Section 2.1 (b) of the Open Call, operators wishing to submit an offer were requested to submit a declaration on honour that those requirements would have been fulfilled within three months after the signature of the contract between the selected capacity booking platform and the concerned TSOs.

²⁸ BNetzA Decision BK7-14-020 implementing the NC BAL and the NC CAM.

²⁹ German Grid Access Ordinance Gasnetzzugangsverordnung (GasNZV) §13 Abs.2

³⁰ GasNZV § 12(3)2.

³¹ GasNZV § 11(1)1, 11(1)2 and 12(3)1.

- (18) Furthermore, in light of the limited scope in time of this Decision, namely that it will have effect at most for three years, until the TSOs agree to a final solution, and the limited number of interconnection points falling under the procedure, operators had to certify³² the presence of a flexible set of features ensuring, overall, a minimum operational reliability of their platform based on basic requirements and common practices³³ applicable in information technology³⁴.
- (19) In particular, the basic IT requirements considered 199 IT features subdivided into 19 IT domains, as follows:
- a. Access management (develop, document and implement procedures related to the management of user accounts),
 - b. Asset management (maintain an up-to-date inventory of IT assets to uniquely identify and locate each IT asset and to ensure that its usage is compliant with legal and contractual requirements),
 - c. Business Continuity Management (timely reporting following the regulations, defined document back-up policy; foreseeing that the organisation identifies, quantifies and qualifies business impacts of a loss, interruption or disruption on its processes, and for that prepares a strategy and implementation plan),
 - d. Change Management (determine the impact of change on business processes and IT services, hence minimise risk of possible adverse effects to the operational environment),
 - e. Cryptography (based on risk assessment and the sensitivity of information protect the information at the relevant level),
 - f. Exception Management (ensure proper identification, assessment, approval of information security exceptions along with setting information security policy requirements),
 - g. HR/Organisational Management (appropriate quality and security management assurance by employing and training skilled human resources),
 - h. Incident Management (setting responsibilities and procedures for incident management and keeping information about security incidents),
 - i. Information Management (ensure an appropriate level of protection, including that all information has of a defined level of sensitivity),
 - j. Log Management (policies related to log management, covering responsibilities, log generation, protection, analysis, preservation and disposal),

³² Operators wishing to submit an offer had to undergo a self-assessment of the booking platforms further to be certified by an independent and certified auditor. The countersigning auditor had to be an experienced and certified in ISO/IEC 27001:2013 in the Area/Domain of Energy.

³³ The IT criteria in the self-assessments and audits followed the relevant standard of ISO/IEC 27001:2013 aiming at collecting specific knowledge about the IT features of the platforms responding to the Open Call. Paragraph 19 lists the domains covered under this criterion, in detail. Following the ISO/IEC standard, the Agency gathered appropriate knowledge about the operational reliability of the platforms, at the same level of granularity.

³⁴ Section 2.2., Open Call of 8 May 2019 for the selection of a web-based booking platform to be used by TSOs for the offering of bundled gas transmission capacity at the “Mallnow” IP and “GCP” VIP, inviting operators of booking platforms to submit offers.

- k. Physical Security (define physical security perimeters, taking into account the sensitivity of information and risks associated with a view to prevent physical damage and protect against environmental threats),
 - l. Risk Management (identifying, assessing, and treating risks to ensure confidentiality, integrity, and availability of assets),
 - m. Service Provider Management (information security requirement/assessment, as included in the service requirements definition for tendering and requesting services),
 - n. System development lifecycle (information systems and service security are addressed properly, information security also applies to new assets),
 - o. Teleworking (develop policies and instructions related to remote access and teleworking),
 - p. Secure platform access for network users (have available data security protocols for network user access),
 - q. Peak service load (capacity available and used, scalability of IT infrastructure);
 - r. The graphical user interface of the platform is in English,
 - s. Helpdesk availability (is available outside business hours).
- (20) The total maximum score for the IT self-assessment was 153.5 points and the total passing mark was 84 points. A minimum passing mark was required for each individual IT domain.
- (21) Following the compliance with the minimum standards for the selection of a booking platform, the operators had to submit a proposal to address a technical case study designed to assess the technical quality of the processes of the operators of booking platforms for the offering of bundled gas transmission capacity in terms of completeness, consistency, robustness, relevance and efficiency.
- (22) The case study required the booking platform operators responding to the Open Call of the Agency to present implementation and IT development plans, which include a comprehensive list of the activities necessary for the implementation of these plans, a proposal for an implementation timeline, a resource planning having regard to the financial and human resources of these plans, as well as a risk assessment and mitigation plan, with due regard to the challenges of the implementation process³⁵. The tasks covered by the case study related to both process and product implementation, as well as to providing basic services³⁶ and improvements of existing services or introducing new service components³⁷. The purpose of the case study was to assess the ability of the booking platform operators to implement a good practice in IT service management,

³⁵ Available at:

https://www.acer.europa.eu/en/Gas/Framework%20guidelines_and_network%20codes/OpenCallforGAS22019/Annex%206%20Case%20Study%20description%20and%20Template%20for%20evaluation_FINAL.pdf

³⁶ The requirements described in Task A of the case study

³⁷ The Requirements described in Task B of the case study

when serving additional interconnection points – like the points subject to the Decision: the Mallnow IP and GCP VIP.

- (23) A maximum of 100 points could be awarded to the proposal addressing the case study, evenly awarding points for completeness, consistency, robustness, relevance and efficiency.
- (24) In light of the specificities of the market, and with the aim of ensuring effective competition³⁸, operators were finally requested to submit a financial statement indicating the overall yearly fee for the employment of the web-based booking platform for each of the two interconnection points identified above, i) regardless of any existing service contracts between the operator and any of the TSOs concerned and ii) considering the need to ensure platform developments to respond to users' needs³⁹.
- (25) The overall yearly fee was set to remain fixed for the overall duration of the service contract to be signed with the TSOs concerned - a maximum three (3) years. The overall yearly fee represented the maximum fee to be applied for the employment of a web-based booking platform at each of the two interconnection points for the TSOs concerned, irrespective of considerations related to any existing service contracts between the operator submitting the offer and any of the TSOs concerned.
- (26) The selection of the booking platform was based on a price–quality combination. This combination weighed the price 40% and the technical quality 60%⁴⁰, providing a balance between price and quality, valuing the quality criterion higher⁴¹.
- (27) In light of the above, the evaluation of each offer was based on the following formula:

³⁸ In other words, the platform operators already providing services for unbundled capacity auctions at the same border would not be favoured against the operator that has not been offering any service yet at the IPs relevant in this Decision.

³⁹ If the fee consisted of multiple components (e.g. entrance fees, yearly fees, etc...), a relevant breakdown should have been provided together with the overall yearly fee applicable at each interconnection point (i.e. per IP side). See Section 4.1, Open Call of 8 May 2019 for the selection of a web-based booking platform to be used by TSOs for the offering of bundled gas transmission capacity at the “Mallnow” IP and “GCP” VIP, inviting operators of booking platforms to submit offers.

⁴⁰ https://www.acer.europa.eu/en/Gas/Framework%20guidelines_and_network%20codes/Pages/Open-call-for-Gas-Capacity-Booking-Platforms-to-submit-offers-for-Mallnow-and-GCP.aspx

⁴¹ The Agency used its own IT procurement standards for the price-quality ratio. In the consultation launched by the Agency, stakeholders proposed numerous ratios, favouring either the price criterion or the quality of service. The Agency was of the view that quality matters in IT projects. At the same time, the Agency was mindful about not to over-represent the quality in the evaluation for a service contract of a limited time span, not more than three years, and for a service of limited scope, only for two interconnection points. The Agency considers that since the platforms have proven their ability to fulfil basic requirements and common practices applicable in information technology (see paragraph 17), the risk of substandard IT services blocking the performance of platforms has been eliminated. In addition, the Agency observed during its evaluation that the proposed ratio ensured a good level playing field between the large and the smaller platforms.

$$\text{Total Score} = \frac{\text{Lowest overall yearly fee}}{\text{overall yearly fee proposed by the operator}} * 40 + \frac{\text{total technical quality of the operator's offer}}{100} * 60$$

2.4. Evaluation of the offers, outcome of selection

- (28) Each operator provided sufficient reassurance about the fulfilment of the obligations stemming from Union law and national law applicable to the offering of bundled gas transmission capacity, pursuant to the NC CAM and the obligations under the German national law, the latter to be in place within a maximum of three months as of the date of signature of the agreement between the selected capacity booking platform and the TSOs, as referred to in Article 2 of this Decision. The booking platform operators provided duly signed Declarations on honour to prove the fulfilment of the legal criteria⁴².
- (29) Hence, GSA, PRISMA and RBP were considered to comply with the relevant provisions of both Union law on the common rules for the internal market in natural gas and national law, and therefore each offer was considered further in the evaluation.
- (30) The Agency has further evaluated each offer against the minimum criteria assessing IT security, IT governance and IT user-friendliness based on the detailed IT features under 19 key IT domains as reported above under paragraph (19).
- (31) Each operator provided the necessary certification of the fulfilment of the essential IT requirements needed to offer bundled gas transmission capacity through a web-based booking platform, based on the IT minimum criteria. The audited self-assessments submitted by each operator reached the minimum passing mark overall and for each individual IT domain.
- (32) As a result, each offer was considered sufficiently suitable with regard to the inherent technical capability of each operator, enabling the further evaluation of the submitted offers.
- (33) As reported in the Evaluation sheet for each operator, attached to this Decision, the technical quality of each offer, building on the submitted proposal to address the case study, was evaluated and ranked on the basis of the announced criteria without

⁴² The platforms declared that they have fulfilled the EU criteria, and will fulfil the national legal criteria. The platforms provided clear commitment on the legal criteria, individually per criteria, by the signature of the managing director and legal counsel. The public consultation did not bring evidence that any platform had substandard legal implementation. Some misunderstanding about the timing of the implementation of the German national legal criteria confused a respondent, expecting those being ready at the time when the offers were placed.

modification, and therefore in terms of completeness, consistency, robustness, relevance and efficiency.

- (34) The Agency verified for each offer whether the description of the tasks, the activities to be covered under each task, the risk assessment of the three major risks related to the tasks, the timeline constraints and the relevant resource plan related to these tasks were complete, consistent, robust and relevant (to the task) and efficiently implemented.
- (35) The assessment of the proposal formulated by GSA showed limitations with regard to completeness, consistency, robustness and efficiency. The proposal in particular revealed limitations concerning resource planning and the detailed listing of activities to be performed in order to address the case study.
- (36) The assessment of the proposal formulated by PRISMA showed limitations with regard to its robustness and efficiency. The proposal in particular revealed limitations concerning the proposed risk assessment and resource planning.
- (37) The assessment of the proposal formulated by RBP showed limitations with regard to its completeness, robustness and efficiency. The proposal in particular revealed limitations concerning the resource planning, its risk-assessment and the detailed listing of activities to be performed in order to address the case study.
- (38) The financial statement submitted by each operator met the conditions established in the Open Call, showing the absence of cross-subsidisation across operational and commercial activities of each operator⁴³.
- (39) In light of the results of the evaluation of each individual offer, the above-mentioned operators were ranked following the criteria and calculation formula announced⁴⁴ to determine the operator providing a booking platform for the offering of bundled capacity for gas transmission at the ‘Mallnow’ IP and ‘GCP’ VIP at the most advantageous terms as regards quality and price.
- (40) RBP has emerged as having the most favourable offer presenting the highest technical quality-price combination, based on the consolidated evaluation sheet prepared by the Agency⁴⁵,

⁴³ In this context, the legal obligations referred to in paragraph 16 r) were declared on honour by the booking platforms

⁴⁴ Section 3.3, Open Call of 8 May 2019 for the selection of a web-based booking platform to be used by TSOs for the offering of bundled gas transmission capacity at the “Mallnow” IP and “GCP” VIP’, inviting operators of booking platforms to submit offers.

⁴⁵ Available in Annex I

HAS ADOPTED THIS DECISION:

Article 1

The booking platform to be used, for a period of three years or until that time, when the concerned transmission system operators come to an agreement on the permanent use of a booking platform, if sooner, at the ‘Mallnow’ IP and ‘GCP’ VIP, in accordance with Article 37(3) of Commission Regulation (EU) 2017/459 and Article 6(10)(b) of Regulation (EU) 2019/942, shall be RBP – Regional Booking Platform operated by FGSZ Ltd.

Article 2

This Decision shall be implemented within three months from the day of its notification, with the goal to have a contractual agreement between RBP and the TSOs active at the ‘Mallnow’ IP and ‘GCP’ VIP in time for the 2020 yearly auctions. RBP and the concerned TSOs shall immediately inform the NRAs concerned and the Agency about the signature of the contract.

The contractual agreement shall ensure that network users have non-discriminatory access to the capacity booking platform. The contractual agreement shall also foresee that continuous developments of the booking platform infrastructure respond to market needs and be maintained for the whole duration of the service contract with the TSOs.

Article 3

This Decision is based on RBP continuing to meet all requirements on the basis of which it has been selected (including the implementation period). In case RBP is no longer able to comply with this Decision, it shall immediately inform the concerned NRAs and the Agency, and provide due justification for the possible non-compliance.

Article 4

Operator Gazociągów Systemowych GAZ-SYSTEM S.A.*, *Gascade Gastransport GmbH and Ontras Gastransport GmbH (Germany) shall immediately inform the respective NRAs and the Agency when the service contract with RBP has been signed and at which date the commencement of the services is foreseen, as well as once the services has started.

Article 5

When the concerned TSOs have reached a permanent contractual agreement on the use of a booking platform, in accordance with Article 37(4) of Commission Regulation (EU) 2017/459 and Article 1 of this Decision, they shall immediately inform their respective NRAs and the Agency.

Article 6

This Decision is addressed to the following Transmission System Operators:

- 1) Operator Gazociągów Systemowych GAZ-SYSTEM S.A.,**

- 2) Gascade Gastransport GmbH, and
- 3) Ontras Gastransport GmbH.

Done at Ljubljana on 6 August 2019.

- SIGNED -

For the Agency
Director ad interim
Alberto POTOTSCHNIG

Annexes:

Annex I – *Consolidated Evaluation of offers*

*In accordance with Article 19 of Regulation (EC) No 713/2009, the addressees may appeal against this Decision by filing an appeal, together with the statement of grounds, in writing at the Board of Appeal of the Agency within two months of the day of notification of this Decision.**

* Clerical Error - 07.08.2019: Following the entry into force of Regulation (EU) No 2019/942, pursuant to Article 28 thereof, the addressees of a decision, or any natural or legal person to whom a decision is of direct and individual concern, may appeal against such decision by filing an appeal in writing to the Agency, together with a statement of grounds, within two months of the day of notification of the decision or, in the absence thereof, within two months of the date on which the Agency published its decision.

**Clerical Error - 28.08.2019: Gazociągów Systemowych GAZ-SYSTEM S.A. shall be read as Operator Gazociągów Przesyłowych GAZ-SYSTEM S.A..