

ACER – Agency for the Cooperation  
of Energy Regulators

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1000 Ljubljana  
Slovenia

Berlin, 20 January 2012

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## **Still Barriers in the German Gas Markets in the view of EFET Deutschland<sup>1</sup>**

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Dear Madams and Sirs,

Transparency is a crucial element for a functioning internal European gas transmission market, secured by regulation 715/2009/EC. Therefore EFET Deutschland welcomes this specific consultation on Compliance Monitoring of Transmission System Operators (TSOs) in the light of the Third Package Gas Transparency Requirements. We also welcome ACER's efforts to target for a detailed picture of all available information and its quality.

As EFET Deutschland we would like to take this opportunity to present some of our views on current TSO transparency fulfillments with the particular focus on the situation in Germany, and to lay out next steps to improve compliance with EU law. The views presented in this paper are based on EFET Deutschland's experiences from checking the relevant TSO websites and from practical know-how as well as of from EFET member companies.

A general statement in the beginning: we acknowledge that (German) TSOs have improved their information provision services significantly in recent years. However, we would also like to make clear that in regard to information provision there are still barriers that hinder the potential development of an efficient European wholesale gas market. Furthermore, we do not share in all aspects the positive "green light picture" in some aspects presented by the TSOs in this questionnaire. We believe that some TSOs either do not fulfill specific requirements set by regulation 715/2009/EC or provide the requested information in an intransparent and complex way that limits and in some cases diminishes the usefulness of the information given, in particular with regard to real time gas flows and available capacity, which we will lay out at least partially in more detail in the following sections.

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<sup>1</sup> EFET Deutschland is the German subsidiary of the European Federation of Energy Traders (EFET)

The fact that we were not able to analyse all TSOs in detail, as the provision of the required information was partially confusing and unstructured, proves what still needs to be done in this area. Anyhow we will proceed with our examination and are very keen to support ACER further on with additional input to help highlighting the information needs of market participants.

## **1. Overall quality, consistency, frequency and availability of the information published by TSOs**

Currently, the quality and quantity of information provided by German TSOs is difficult to validate. TSOs publish the data required by regulation 715/2009/EC using a confusing range of websites and online platforms. There is no common standard format in order to have all information be found quickly and efficiently. In addition, data is sometimes just published via PDFs or via an isolated excel sheet, i.e. not in the required downloadable format that could be used for further analysis. Therefore it would be useful to define at least some common standards and to provide data on an aggregated level (see also question 3 on user-friendliness).

Another critical issue is frequently missing or hard to find data about historical, present and future availabilities of capacities on a firm and interruptible basis and of actual gas flows. However, it is in particular this kind of information shippers are seeking for in order to set up their capacity booking strategy and manage their positions adequately.

## **2. Adequacy of responses**

As mentioned in the opening paragraph we do not consider TSO responses as being always accurate. By checking the websites of various TSOs (as said above, we did not check every single website, therefore not indicating a certain TSO as an example for improvement does not automatically reflect that all its statements were proven to be correct) we identified perceptible deviations. Commonly TSOs link various information requirements to just a single website, that (at least for an inexperienced user) seems to provide just general information. Useful descriptions and explanations of the product or the procedure often cannot be found. Furthermore in some cases TSOs refer to websites of third parties like the market operator (e.g. GasPool or Net Connect Germany) or capacity platform operator Trac-X as being the reliable source for this information, but without even linking their respective website to the (specific) websites of these 3rd parties. Hence it is often not transparent/clear, whether the relevant third party does really provides the adequate information. TSOs should provide more explicit guidance, where the information can be found and what kind of information is really published via the third party.

To name/highlight some of the most visible inaccuracies:

- EWE Netz refers in section 3.3 almost exclusively to the same single website. However this website does not provide all the requested information. For example, data about actual flows or the total contracted firm and interruptible capacity could not be found on this particular website.
- Wingas Transport, Thyssengas and Open Grid Europe just partially publish a detailed and comprehensive description of the different services offered (3.1.1). Description of various capacity products like load flow commitments or fuel gas products is difficult to find or not available.
- Wingas Transport publishes various items and documents just in German.

- All TSOs which we were able to check do state in section 3.4.5 that they do not have to publish data about the current status of the transmission system, as they have asked BNetzA for an exemption of the duty to publish such data (which has not been awarded yet). Instead, as OGE comments, "Net Connect Germany (just) publishes an indication for the demand of system balancing energy per balancing zone." From our point of view this indication is by no means sufficient to provide system users with the needed and reliable information to balance their portfolios. Indications must be complemented by real flows and updated contentiously.
- EWE Netz refers in section 3.3.5 to the website of the capacity allocation platform Trac-X Primary as the relevant source in order to receive information about the available capacity at each network point. However, Trac-X Primary does not provide information about the overall capacity situation nor any formats that can be analyzed. Similarly, Wingas Transport can be seen to just refer to the starting page of Trac-X for certain specific information.
- No historical data on planned and actual interruptions of interruptible capacity can be found on the website of Thyssengas.

### **3. User-Friendliness**

As stated above TSOs publish or at least aim to publish the relevant information on their individual webpage. As a result the gas market participants are confronted not only with a large amount of data but with a large amount of data sources as well. This means a high load of research requirements for market participants. In our opinion, this is in particular a major hurdle for all medium and small gas market players (e.g. Stadtwerke and industrial customers), as they do not have the necessary resources neither to extract and store nor to evaluate and combine these pieces of information. Thus a large part of the market cannot make use of the transparency information, even if they are made publicly available according to the Third Package. EFET Deutschland believes that the most reasonable way to handle this kind of information is to make them public both on an individual basis (for major players who can use them and make their own evaluations on their basis) and on an integrated basis, i.e. for all TSOs jointly owning a market operator (GASPOOL and NCG) on the website of this market operator. As an example for such an integrated use of information related on a gas market we would like to mention the website of National Grid in the UK Market.

The following links provide a good example of the way transparency-relevant information can be made public on a manner that makes it valuable and readable for all gas market players independently of their size and their means.

<http://www.nationalgrid.com/uk/Gas/Data/FFD/>

<http://marketinformation.natgrid.co.uk/gas/frmPrevailingView.aspx>

<http://www.interconnector.com/iuk/dailysum>

### **4. Free of charge**

To our knowledge all the posted information provided by German TSOs is free of charge. However, there are still cases (e.g. Statoil Deutschland Transport, ENI Transport/Fluxys) where users have to register first in order to get

access to information. Furthermore information on available capacity gathered on Trac-X is only accessible via registration.

## **5. Real-time information**

Shippers need real time information in order to manage their portfolios. Obviously information on current flows is not always published "close to real time" when TSOs update their flow information just the day after. It is difficult to assess whether TSOs provide information "(...) as soon as it is available to the system operator". Therefore we propose that TSOs or the relevant market operator should lay out the reasons to the national regulator, why current flow data cannot be published in Germany in the same manner as it is done in the UK or the Netherlands.

## **Conclusion**

EFET Deutschland believes that the further improvement of transparency standards is an important step to further improve and develop an European wholesale gas market. We therefore encourage ACER to take the needs of the market participants into account and to spur TSOs in developing their transparency strategies further.

EFET Deutschland is at ACER's full disposal to discuss this important issue and support the necessary evaluation process.

Sincerely,



Joachim Rahls

Chairman of the German Taskforce Gas



Dr. Andreas Holzer

Vice-Chairman of the German Taskforce Gas