

EFET Deutschland, Schiffbauerdamm 40, 10117 Berlin

ACER – Agency for the Cooperation
of Energy Regulators
Trg republike 3
1000 Ljubljana
Slovenia

Berlin, 12 March 2012

Future Transparency in the German Gas Market – Some Ideas by EFET Deutschland

Dear Madams and Sirs,

EFET Deutschland took the opportunity to compare the degree of transparency in the German gas market based on several examples with its letter of January 20th, 2012, on the ACER Consultation on Compliance Monitoring of TSOs against the Third Package Gas Transparency Requirements¹.

We are aware that a standalone description of random examples of malpractice is not enough to get things forward. Thus we would like to submit some concrete proposals on how to organize an information process in the German gas market. It could be arranged in such a way that the relevant regulation can be fulfilled and the majority of market participants can benefit from this implementation.

EFET Deutschland's ideas on the matter of transparency are based on two main pillars: (1) *standardization* and (2) *accumulation / central assessment based on market areas*.

Standardization

The Regulation (EC) No 715/2009 under Chapter 3 of Annex 1 specifies the relevant information to be published by TSOs. As already pointed out in our previous letter, most of this information is currently either not available at all or they seem difficult to be found and finally to be downloaded due to various formats and sites. With regard to the German gas transmission system consisting of 12 TSOs, the access to transparency information would be vital. Hence we would like to propose the following solution:

Each TSO has to create a list on its web page, filled with data according to the list under point 3.1.2 of the Annex 1 of the Regulation (EC) No 715/2009. Each item on this list should be differentiated between (a) information at

¹ http://www.acer.europa.eu/portal/page/portal/ACER_HOME/Activities/Regional_Initiatives/Gas_Regional_Initiatives/North-West/Public%20Consultations/1supstsup%20Public%20Consultation%20NW%20Regional%20Initiative/Agenda_and_distributed_docs/Transparency%20cover%20letter_FINAL.pdf, EFET Deutschland response: <http://efet-d.org/GetFile.aspx?File=6409>

all relevant points as mentioned under point 3.2 and (b) information to be published at all relevant points and the time schedule according to which the information should be published, as mentioned under point 3.3. Each item on this list constitutes a link, which directly leads to a downloadable and standardized (means industry wide same format) file with the relevant information.

TSOs are free to agree on the standardization of this list and the type of downloadable files. This is to allow market participants to standardize their download and assessment tools as well. Alternatively TSOs should agree on a **common platform**, where they directly publish their standardized information.

Accumulation / central assessment based on market areas

EFET Deutschland believes that not only the standardized publication of detailed information is necessary. We also consider it necessary to accumulate and assess the available information based on each market area and to publish it centrally, i.e. on a website with free access for all market participants.

This preparation is especially important for new market participants as well as for small to medium sized players who do not command the resources to assess such an abundance of information themselves.

Based on the information published on the websites of National Grid² in the UK we propose the following items to be assessed and published centrally:

- a) Forecast Demand for the market area
- b) Seasonal Normal Demand for the market area (at least daily update)
- c) Forecast Flow for the market area (at least daily update)
- d) Physical Flow for the market area (at least daily update)
- e) Linepack for the market area (at least daily update)
- f) Trigger for the market area (technical data, update as soon as technical environment changes)
- g) Flows into and out of the market area on each entry and / or exit point (at least hourly update)
- h) Aggregated flows into and out of the market area (at least hourly update)
- i) Flows on congested and / or auctioned interconnector points (at least hourly update)

This list is to be understood as the requirements with regard to the accumulation, assessment and publication of transparency information. Ideally TSOs and/or Market Area Coordinators should feel free to complement this list with data they evaluate necessary for the efficient functioning of the markets.

We would like to emphasize that the monitoring of transparency compliance is of high importance both for the implementation of the Regulation (EC) No 715/2009 and for its further practical development. We believe that ACER should recognize neutral monitoring of transparency as one of its central functions. Thus ACER should take over the task of implementing transparency rules and developing of transparency itself. We feel that regulatory supervision should not depend on the input of market participants or associations.

² <http://www.nationalgrid.com/uk/Gas/Data/EFD/>
<http://marketinformation.natgrid.co.uk/gas/firmPrevalingView.aspx>
<http://www.interconnector.com/iuk/dailysum>

EFET Deutschland would be pleased to further discuss these transparency issues with you.

Please feel free to contact us at any time, if you have any questions or need any clarification.

Sincerely yours,

Handwritten signature of Joachim Rahls in black ink.

Joachim Rahls

Chairman of the German Task Force Gas

Handwritten signature of Dr. Andreas Holzer in black ink.

Dr. Andreas Holzer

Vice-Chairman of the German Task Force Gas