

ACER



Agency for the Cooperation
of Energy Regulators

Taking the Decision on the selection of a capacity booking platform for the DE-PL border

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Background

17.3.2017

EN

Official Journal of the European Union

L 72/1

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

(Text with EEA relevance)

CHAPTER VII CAPACITY BOOKING PLATFORMS

Article 37

Capacity booking platforms

1. Transmission system operators shall apply this Regulation by offering capacity by means of one or a limited number of joint web-based booking platforms. Transmission system operators can operate such platforms themselves or via an agreed party that, where necessary, acts on behalf of them towards the network users.

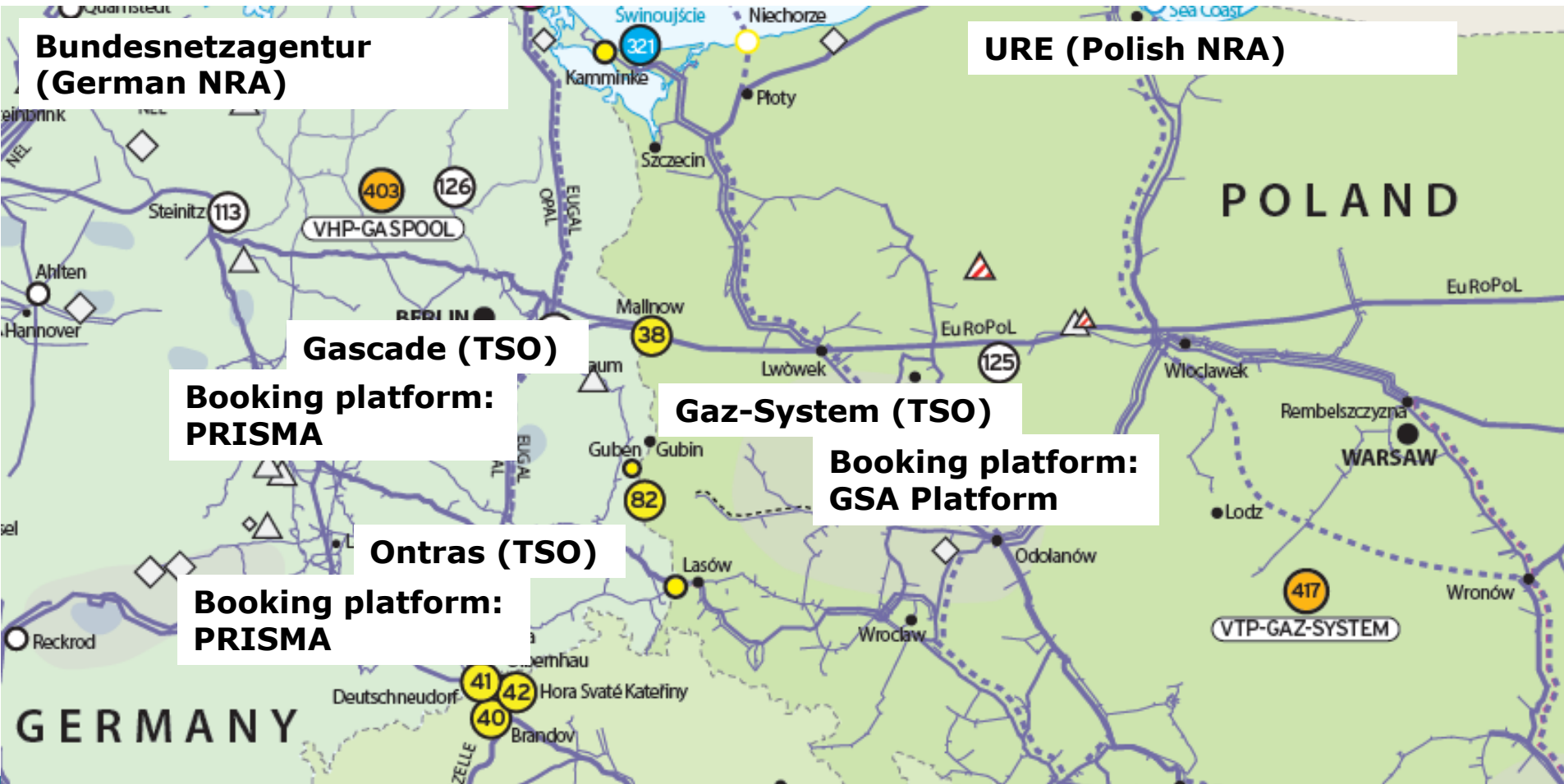
- (c) functionalities for network users to offer and obtain secondary capacity shall be provided;
- (d) in order to use the services of the booking platforms network users shall accede to and be compliant with all applicable legal and contractual requirements that enable them to book and use capacity on the relevant transmission system operators' network under a transport contract.

3. Within 6 months from entry into force of this Regulation all transmission system operators shall reach a contractual agreement to use a single booking platform to offer capacity on the two sides of their respective interconnection points or virtual interconnection points. If no agreement is reached by the transmission system operators within that period, the matter shall be referred immediately by the transmission system operators to the respective national regulatory authorities. The national regulatory authorities shall then, within a period of a further 6 months from the date of referral, jointly select the single booking platform for a period not longer than 3 years. If the national regulatory authorities are not able to jointly select a single booking platform within 6 months from the date of referral, Article 8(1) of the Regulation (EC) No 713/2009 shall apply. The Agency shall decide on the booking platform to be used, for a period not longer than 3 years, at the specific interconnection point or virtual interconnection point.

transmission system operators shall reach a contractual agreement on the use of a booking platform at the latest by the end of the period referred to in the last sentence of paragraph 3, for which the selection was made by the national regulatory authorities or the Agency. If no contractual agreement is reached, the procedure set out in paragraph 3 shall be resumed.

- 5. The establishment of one or a limited number of joint booking platforms shall facilitate and simplify capacity booking at interconnection points across the Union for the benefit of network users. Where appropriate, ENTSOG and the Agency shall facilitate this process.
- 6. For increases in technical capacity, the allocation results shall be published on the booking platform which is used for auctioning existing capacity, and for new capacity created where none currently exists, on a joint booking platform agreed by the relevant transmission system operators.

Interconnection points on the border of Germany and Poland:
Mallnow (38) and GCP VIP (82)



- TSOs to jointly select a booking platform (+/- 2 years)
 - » Gascade and Gaz-System could not agree on a common platform for Mallnow IP
 - » Ontras and Gaz-System could not agree on a common platform for GCP VIP
- NRAs to jointly select a booking platform (within 6 months)
 - » BnetzA and URE could not agree on a common platform for Mallnow IP
 - » BnetzA and URE could not agree on a common platform for GCP VIP
- ACER to decide on the booking platform to be used (6 months)
 - » Decision 11/2018 of 16 October 2018 (annulled by Board of Appeal)
 - » Decision 10/2019 of 6 August 2019 ([weblink](#))

Taking the decision

- Collect information available from TSOs and NRAs
- Define selection methodology
 - » Like for like
 - » Limited scope (time and space)
- Public consultation
 - » 21 responses (including concerned TSOs and the existing booking platform operators)
- “Open call”, based on final selection methodology
- Evaluation of offers
- Decision

[Weblink](#)

- *Selecting, not procuring → like-for-like + limited scope*
- *Minimum requirements for eligibility*
 - » *Comply with **legal requirements** laid down in Regulation (EC) No 715/2009, Directive 2009/73/EC and Network Codes (CAM, IOP)*
 - » *Passing mark on **technical requirements** that were deemed relevant in the consultation (e.g. IT security, user-friendliness)*
- *Selection criteria*
 - » **Price** – 40%
 - » **Quality** – 60%

- Comply with **legal requirements** laid down in Regulation (EC) No 715/2009, Directive 2009/73/EC and Network Codes (CAM, IOP)
- 18 EU and 4 national (Germany) legal requirements

Annex 2 Catalogue of criteria on legal requirements

The selection criteria consist of 22 legal platform features subdivided into two categories: EU legal requirements and National requirements.

ID	Category	Requirement
1	EU legal requirements	Allocation of firm capacity
2		Allocation of interruptible capacity
3		Bundling of capacity products
4		Ascending clock auctions (yearly, quarterly, monthly)
5		Uniform price auctions (day-ahead, within-day)
6		Day-ahead bid roll over
7		Support of kWh/h and kWh/d as capacity unit
8		Secondary capacity trading
9		Automated bidding
10		Reporting of platform transactions (bidders and public)
11		Bundling of capacity on 1:n situations
12		Offer of competing capacity products
13		Allocation of incremental capacity
14		Surrender of capacity
15		Buyback of capacity
16		REMIT data reporting obligations
17		Interoperability and data exchange obligations (Commission Regulation (EU) 2015/703, CAM NC Art. 5 and 7, IOP NC Art. 20, 21 and 23(1))
18		Avoidance of cross-subsidies between network users (Article 13 of Regulation (EC) No 715/2009)

- *Passing mark on **technical requirements** deemed relevant by platform users*
- 199 IT features divided in 19 IT domains (covering security, governance, user friendliness)
- Passing mark to be obtained for each domain
- Supported by third-party auditor

Annex 4 Catalogue of selection criteria – IT features

The selection criteria consist of 199 IT features, subdivided into nineteen (19) IT domains. For each IT domain, it is indicated what is the maximum points per domain and what is the passing mark (i.e. the number of points).

ID	IT DOMAIN	MAXIMUM POINTS PER DOMAIN	POINTS TO PASS PER DOMAIN
23	Access Management	6.5	4
24	Asset Management	12	6
25	Business Continuity Management	19	9
26	Change Management D	8.5	6
27	Cryptography	6	3
28	Exception Management	9	4
29	HR/Organizational Context	7	5
30	Incident Management	6	4
31	Information Management	11.5	6
32	Log Management	6.5	3
33	Physical Security	10.5	5
34	Risk Management	6.5	5
35	Service Provider Management	6.5	4
36	System Development Lifecycle	11	6
37	Teleworking	5	3
38	Secure platform access for network users	5.5	3
39	Peak service load	5	2
40	Graphical user interface of the platform in English	6	3
41	Helpdesk availability (outside business hours)	5.5	3

3. EVALUATION OF OFFERS

The Agency will evaluate only the offers that meet the requirements included at Section 1 and fulfil the minimum criteria of Section 2.

The evaluation will focus on:

- (1) the overall yearly fee for the employment of the web-based booking platform for each of the two interconnection points regardless of any existing service contracts between the existing capacity booking platform operator and the TSOs concerned; and
- (2) on the technical quality of the Case Study (Annex 6).

Annex 6 Case Study Assignment

Quality ~convincingly demonstrate the ability to deliver the legally required service plus the ability to deliver continuing development

1. Introduction

The candidates for the booking platform shall submit a detailed proposal in writing based on the case study presented below, with the assumption that the services are provided to TSOs for a period of three (3) years from the contract signature.

The case study does not commit the Agency or any other party to place a request for such services. It is the Agency's intention to use the case study to assess the current degree of the platforms ability of implementation of good practices in IT service management when including new points, namely Mallnow and GCP VIP.

2. Description of the case study

Assuming that you are the booking platform, which will be selected, and that you will be able to meet all the legal requirements for the provision of the services to the TSOs, you shall define how you will approach the following hypothetical service requests described as follows on your platform:

ANNEX I – CONSOLIDATED EVALUATION OF OFFERS

EVALUATION OF THE OFFERS SUBMITTED BY BOOKING PLATFORM OPERATORS FOLLOWING THE OPEN CALL FOR THE SELECTION OF THE CAPACITY BOOKING PLATFORM TO BE USED AT THE 'MALLNOW' INTERCONNECTION POINT AND THE 'GCP' VIRTUAL INTERCONNECTION POINT

The Agency received the following three offers:

- Fri 07/06/2019 10:01 PRISMA European Capacity Platform GmbH ('PRISMA');
- Fri 07/06/2019 10:26 RBP – Regional Booking Platform – FGSZ Ltd ('RBP');
- Fri 07/06/2019 10:27 GAZ-SYSTEM Auctions Platform – GAZ-SYSTEM S.A ('GSA').

1. FORMAL COMPLETENESS

After receipt of the above-mentioned offers, the Agency verified, for each offer, the formal submission of the documents indicated in Section 4.1 of the Open Call for the selection of the capacity booking platform to be used at the 'Mallnow' interconnection point and 'GCP' virtual interconnection point (hereinafter referred to as the 'Open Call').

All booking platforms passed the legal and technical checks

PRICE CHECK

Price points awarded:


$$\text{Price points} = \frac{\text{LOWEST OFFER}}{\text{OFFER of the PLATFORM}} \times 40$$

QUALITY CHECK

TASK A	COMPLETENESS (Max. 10 points)	CONSISTENCY (Max. 10 points)	ROBUSTNESS (Max. 10 points)	RELEVANCE (Max. 10 points)	EFFICIENCY (Max. 10 points)
Description (Max. 10 points)	The legal requirements are covered and taken into due consideration. All business requirements are tackled, especially those described in Chapter 2 of Annex 6 of the Open Call. The proposed solution to the case study is well-developed and includes all requested elements.	The description provides a workable and realistic project in line with the scope of the assigned task. Means, schedule, staff and skills listed can provide an effective contribution to the achievement of the project goals, also in light of the requirements defined in Chapter 2 of Annex 6.	The description refers to the project management practices as well as to the contingency measures. This means that the proposal is well structured and allows adjustments in scope and time.	The description is relevant to the scope of the task assigned. It includes adequate measures concerning the platform's governance and IT processes (e.g. test – driven agile approach). In addition, it is in line with current internal practices of the platform, which are also described. The description meets all the requirements of Chapter 2 of Annex 6.	The proposed description is in line with the efficiency requirements defined by the Agency. The methodology is appropriate for the task implementation and is coherent with the required deadlines in terms of effectiveness of the requested actions.
	[confidential]	[confidential]	[confidential]	[confidential]	[confidential]
List of Activities (Max. 10 points)	The list of activities is complete in order to perform Task A and with respect to the requirements of Chapter 2 of Annex 6.	The list of activities responds to the task requested by the case study in a structured and logical way. The proposal describes and implements methodologies (also called agile methodologies), which allow to deliver high quality results in the desired time frame and can guarantee a realistic and workable implementation of the proposed plan.	Critical activities are indicated in the plan. The contingency time slots are reasonably allocated and ensure an adequate implementation.	The list of activities addresses in an adequate manner the assigned task in line with the current working practice of the platform operator.	The efficiency of the activities is in line with the minimum requirements imposed by the time constraints defined in Chapter 2 of Annex 6.
	[confidential]	[confidential]	[confidential]	[confidential]	[confidential]
Risk Assessment Plan (3 major risks) (Max. 10 points)	The risk assessment plan identifies and addresses the treatment of three major risks with appropriate and planned mitigation measures. However, the risk assessment lacks details concerning how the	The risks listed are consistent and coherent with the tasks of the case study, and with the sequence of activities formulated in the proposal. The approach to mitigate the identified risks is also realistic	The measures proposed to mitigate the identified risks appear to be adequate for the purpose in terms of timing and scope. However, the lack of details in the methodology for the risk	The three risks listed and the plan are pertinent to the scope of the task.	Several measures mitigate the identified risks and those show not only a high level of risk treatment efficiency, but span from the chosen project management approach to the time and resource buffers

Booking platform operator	Score* for price offer [40%]	Score* for case study [60%]	Total score*
GSA	X1	X2	$X = X1 + X2$
PRISMA	Y1	Y2	$Y = Y1 + Y2$
RBP	Z1	Z2	$Z = Z1 + Z2$

* Scores are confidential



Agency for the Cooperation
of Energy Regulators

PUBLIC

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

Based on the evaluation of price and quality the Agency selected RBP

Following the Decision, contractual negotiations between RBP and concerned TSOs

Thank you! Questions?

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Disclaimer: The views and opinions expressed in this presentation are those of the author and do not reflect the official policy or position of the European Union Agency for the Cooperation of Energy Regulators.